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Superintendent, American Baptist Mission Press, Rangoon.  
S. C. Talukdar, Proprietor, Students and Company, Cooch Behar.  
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## PREFACE TO THE FIRST EDITION.

THESE Volumes contain all the information I have been able to collect concerning the British Enactments in force in the Native States in India.<sup>1</sup>

2. The term "British Enactments," as used in these volumes, includes—

- (I) the Enactments made by the British Legislature in exercise of the general jurisdiction which it possesses over its subjects and servants in all Native States, and
- (II) the Enactments made by or under the authority of the British Indian Executive Government in exercise of the special jurisdiction which it has acquired, usually over all persons, in certain Native States or places therein.

3. The distinction between these two classes of Enactments has been observed in classifying the British Enactments in force in the Native States dealt with in these volumes, the Enactments in force in each local area having been placed under separate heads according as they belong to one or other of these classes. Enactments which purport to be solely made under the authority of the Legislature, or which appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under one head and styled "British-Indian Enactments"; whilst Enactments which purport to be made, in whole or in part, under the special authority of the Executive Government above described, or which do not appear to be limited to the classes of

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<sup>1</sup> i.e., the territories of any Native Prince or Chief under the suzerainty of Her Majesty exercised through the Governor General of India, or through any Governor or other officer subordinate to the Governor-General of India—see 52 and 53 Vict., cap. 63, s. 16 (5)

<sup>2</sup> There are certain exceptions to the general rules laid down in this paragraph, which are noticed in the body of the Lists



persons with which the Legislature can deal, have been arranged under a different head, having as its title the name of the particular place for which the Enactments have been made with the word "British" prefixed. Broadly speaking, the "British-Indian Enactments" are personal laws applicable only to British subjects or servants, whilst the other Enactments are territorial laws applicable to all persons in the particular places to which they respectively refer.

4. The minor classification under each of these heads is identical, the Enactments being arranged, as far as possible, in separate lists, as they are of the nature of—

- (1) Principal Enactments, that is, Enactments made under the immediate authority of the Legislature or the Executive Government, consisting of—

*A.—Enactments of the Legislature—*

(a) Statutes,

(b) Acts of the Governor-General in Council<sup>1</sup>;

*B.—Enactments of the Executive Government—*

(a) Enactments of the British-Indian Legislatures applied,

(b) Special Laws; or

- (2) Subordinate Enactments, that is, Enactments (Rules and Orders) made under authority conferred in this behalf by Principal Enactments.

5. "Special Laws" are new laws made by the Executive Government for places in which it has acquired special jurisdiction, while "Enactments of the British-Indian Legislatures

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<sup>1</sup>Strictly speaking, all the Enactments of the Legislatures established in this country are Subordinate Enactments, inasmuch as the Indian Legislatures derive their authority solely from Parliamentary Enactments; but for the purposes of these Lists, Acts of the Governor-General in Council are classified as on the same footing with Statutes.

applied" are, as their title indicates, existing British-Indian Enactments which have, by order of the Executive Government, been adopted, usually with certain modifications, as laws in such places. Though there is no material distinction between these two kinds of Enactments, it has been found convenient to arrange them in separate groups in these volumes.

6. A general classification of the British Enactments which may be made for the Native States in India, and a detailed classification of the various British Enactments actually in force in the Native States dealt with in each volume, which have been prepared in accordance with the above remarks, will be found in Statements Nos. I and II, prefixed to these volumes (pages xi and xii).

7. The Enactments which the various Native States may have made for their respective territories are beyond the scope of this work.

8. For the convenience of local officers, each volume contains (*see* Part I) the British Enactments in force generally in all Native States in India, as well as the Enactments in force locally in the particular Native States with which it deals.

9. Numerous references to Aitken's Treaties have been inserted, which will, it is hoped, add to the usefulness of these Lists. The revised edition of 1876 is the one referred to.

10. A short alphabetical index of names of places has been appended for convenience of reference.

11. In compiling the volumes—

(a) Rules and Orders of a temporary nature or conferring powers on persons by name have, as a rule, been omitted; and

(b) Special Laws and Subordinate Enactments, which are not to be found in the Codes published by the Legislative Department, have, as a rule, been set out *in extenso*.

12. Mr. G. R. Ridge of the Legislative Department Office has assisted me in the preparation of these Lists, and Mr. F. G.

Wigley, the Officiating Under Secretary, has kindly undertaken to supervise the passing of the final proof through the Press and the insertion of such Enactments as may be issued after this date.

13. Lastly, it must be stated that these volumes are not authoritative, and that the Government of India is in no way responsible for their contents. They have been compiled by me from the Official Gazettes, supplemented by local information obtained through the Foreign Department. Though I have made them as complete and accurate as was possible, having regard to the materials at my disposal and the limited time which I have been at liberty to devote to the work, I am fully conscious of their many defects. At the same time I hope that notwithstanding their imperfections, the volumes will be found to be of some practical value to Political Officers and others desirous of obtaining information concerning the British Enactments in force in the Native States in India.

J. M. MACPHERSON.

SINLA;

The 27th October 1890.

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In his recent valuable work, "The Protected Native States of India," Mr. Lee-Warner states (see page 366), that if the reader "refers to the official Gazettes of the Indian Government he will find many scores of pages devoted annually to the judicial notifications published by the political offices of the Empire. The law relating to the Native States fills thousands of pages." The object of the work now being brought to completion has been to save the labour and trouble involved in referring to the official Gazettes for these Notifications by supplying information in a classified form as to their contents. Though the work only professes to contain lists of the Notifications in question, it will be found on examination that, except in the case of the two first volumes, which do not, as a rule, reproduce the subordinate Enactments, the whole of each Notification referred to in these volumes is set out *in extenso* either in the last column of the

Lists or in the appendices, so that a reference to the Gazettes, even for the purpose of ascertaining the exact words of a Notification, has been rendered unnecessary. Indeed, if used in conjunction with the "Codes" published by the Legislative Department, which contain the Statutes, Acts, and Regulations mentioned in the Lists, these volumes ought to form a fairly complete handbook to the British Enactments now in force in the Native States of India.

The subject of the relations between the British Government and the Native States of India has of late been brought before the public not only in Mr. Lee-Warner's work above mentioned, but also in Mr. Tupper's no less valuable work, "Our Indian Protectorate." In both these volumes these relations have been treated of chiefly from a politico-historical point of view. In his earlier work, entitled "A Collection of Treaties, Engagements, and Sanads relating to India and neighbouring countries," of which a revised edition has recently been published, Sir Charles Aitchison dealt very fully and comprehensively with the same subject, mainly from the standpoint of our contractual relations towards these States. In these and the previous volumes of this work an attempt has been made to approach this subject from what may be described as its legal or jurisdictional aspect, the object being to show the extent to which British-made law applies to these Native States, and, though these volumes are practically little more than compilations of information which is available to any one who chooses to study the Gazettes, they will perhaps help to throw light on what has hitherto been a somewhat confusing branch of the subject.

J. M. MACPHERSON.

SIMLA;

*The 1st January 1895.*



## PREFACE TO THE SECOND EDITION.

IN preparing for publication the second edition of this work one important alteration has been introduced which, it is hoped, will render it more useful for purposes of reference. In the first edition the Enactments were merely summarized and included in the lists, with the exception of certain special ones, which were reproduced *in extenso* in Appendices: in the present edition, however, all Enactments which have been issued by the Government of India have been reproduced *in extenso*, except in so far as they are to be found in the volumes of General Acts of the Governor-General in Council, or in one of the Provincial Codes. In such cases full references are given: and the chronological lists which formed the basis of the first edition are only retained in a simplified form to serve the purposes of a table or index. In its present form it is hoped that the work may be regarded as a not inadequate supplement to the General Acts of the Governor-General in Council and the Provincial Codes.

2. A general nominal index has been added at the end of the sixth Volume (the Western Indian Volume) for facility of reference.

3. Mr. Macpherson, the Secretary to the Government of India in the Legislative Department, who compiled the first edition, has kindly permitted me to consult him in matters regarding the general scheme of the work, and I have to express my obligations to him for his advice. I have also had the assistance of Mr. Ridgo of the Legislative Department Office, who has been most useful in helping to prepare the volumes for Press.

A. WILLIAMS.

SIMLA;

The 15th September 1899.



## PREFACE TO THE THIRD EDITION.

IN this, the third, edition of "British Enactments in force in Native States," the system of arrangement has been altered from that adopted by Mr. (now Sir John) Macpherson in the first edition. States in relation with the Government of India, with the Administered Areas situated in them, have been grouped (Volumes I-III) apart from those in relation with Local Governments (Volume IV), while one Volume (V) is devoted to Railways wherever situated. Again orders under Acts applied and under Local Laws have been separated from the rest of the enactments, and form Volumes II and III in the case of the first group of States, and Part II of Volume IV in the case of the second group, and Part II of Volume V in the case of railways. Lastly, for convenience of reference, orders relating to Courts have been entered under a separate sub-head in each chapter in Volumes I, IV, Part I, and V, Part I. In the Appendices have been collected all orders to which there are constant references in the body of the work, or which it is convenient to group together for purposes of comparison, such as orders relating to the appointment of Justices of the Peace, of Marriage Registrars, and of Registrars of Births and Deaths.

Each Volume states the law as in force on the 19th April 1913.

O. V. BOSANQUET.

SIMLA;  
*The 24th April 1913.*





Page 1.—Insert the following as the first entry :—

No. 1443-I.B., dated the 14th August 1914.

No. 1444-I.B., dated the 14th August 1914.

Printed in Appendix XX.

Foreign  
1864.  
Period of  
tion of  
subsequ  
Exempti

clauses (1) and (11) of the Hyderabad Assignments, 1864, (Act VII of 1870), as applied<sup>2</sup> to the Hyderabad Assigned Lands, the Hyderabad Residency Bazars, the Cantonment of Secunderabad, the Hyderabad Contingent Stations of Aurangabad, and the railway lands<sup>3</sup> in the territories of His Highness the Nizam of Hyderabad having been confirmed by the Resident and sanctioned by the Governor General in Council, are published for general information in supersession of all previous orders on the subject :—

Rules under clause (i), section 20, Act VII of 1870, as to the fees chargeable for serving and executing processes issued by the Court of the Judicial Commissioner and by all other Civil Courts subordinate to that Court.

Rule 1.—The fees noted below shall be charged for serving and executing the several processes against which they are respectively ranged :—

#### TABLE OF FEES.

SECTION A.—In the Court of the Judicial Commissioner and all Civil Appellate Courts subordinate thereto.

ARTICLE 1.—Notice of appeal or other notice to respondents in respect of each respondent to be noticed . . . . .

Process fees  
Rs A P.  
0 0 0

Provided that in the aggregate for service in any one town or village no larger amount than Rs 15 shall be leviable.

<sup>1</sup> Except where stated to the contrary, the orders in this Chapter apply to all the Administered Areas in the Hyderabad State.

only but are cited here as applying  
1 B., dated the 7th October 1901.  
"all laws and rules having the force  
ere in force in the Cantonment of  
Secunderabad, exclusive of the area formerly known as the 'Contingent Station' of Bolaram, and have not been expressly rescinded shall, with effect from that date, be deemed to be in force in the Cantonment of Secunderabad, inclusive of the said area, and also in the Cantonment of Aurangabad."

administration of the Chief Commissioner of the Central Provinces) applies to railway lands in Berar, the fact is stated in a footnote

<sup>2</sup> See now notification No. 582-I.B., dated the 22nd March 1913 Printed Vol. I, p 227.

<sup>3</sup> Includes the railway lands in Berar.

SECTION A.—*In the Court of the Judicial Commissioner and all Civil Appellate Courts subordinate thereto—contd.*

	Process fees.
ARTICLE 2.—Summonses to witnesses in respect of each witness to be summoned . . . . .	Rs. A. P. 0 9 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 15 shall be leviable.	
ARTICLE 3.—Warrant of arrest in respect of each person to be arrested, provided the process-server is solely engaged in executing the warrant . . . . .	3 0 0
In other cases . . . . .	1 8 0
ARTICLE 4.—Notice, proclamation, injunction, or other order not specified in any of the foregoing articles, when the copies to be served or fixed up are not more than two in number, one fee . . . . .	1 8 0
For every additional copy . . . . .	0 8 0
Provided that the aggregate amount of the fees levied under this article shall not exceed fifteen rupees.	

SECTION B.—*In all Civil Courts of Original Jurisdiction subordinate to the Court of the Judicial Commissioner, including Courts of Small Causes.*

Nature of processes	In suits of which the amount or value of the subject-matter in dispute does not exceed Rs. 300	In suits of which the amount or value of the subject-matter in dispute exceeds Rs. 300.
	Rs A P.	Rs A. P.
1. Summonses to defendants—in respect of each defendant to be summoned, provided that the aggregate amount of the fees levied under this article shall not exceed ten rupees . . . . .	0 4 0	0 10 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		
2. Summonses to witnesses—in respect of each witness to be summoned . . . . .	0 4 0	0 10 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		
3. In respect of the services of the officer making an attachment in the manner prescribed in section 263, 270, or 271 of the Code of Civil Procedure, when the property is to be attached in one town or village . . . . .	0 12 0	1 8 0
When the property is to be attached in more than one town or village, then for every additional town or village . . . . .	0 6 0	0 12 0

## SECTION B—continued.

Nature of processes.	In suits of which the amount or value of the subject-matter in dispute does not exceed Rs. 300.	In suits of which the amount or value of the subject-matter in dispute exceeds Rs. 300.
	Rs. A. P.	Rs. A. P.
4. Warrants of arrest in respect of each person to be arrested, provided the process server is solely engaged in executing the warrant . . . . .	1 8 0	3 0 0
In other cases . . . . .	0 12 0	1 8 0
5. Orders for the sale of property—		
By way of poundage on the full amount of the purchase money—		
I.—If the sale be effected through a broker under section 296 of the Code of Civil Procedure.	The commission payable to the broker and in addition a sum equal to one quarter of such commission.	The commission payable to the broker and in addition a sum equal to one quarter of such commission
II.—If the sale be conducted by an officer of the Court or by any other person (not being a Collector or a broker) appointed by the Court		
NOTE.—The poundage fee shall be paid after the sale is effected and before the proceeds are delivered over to the decree-holder.	3 2 0 per cent.	3 2 0 per cent.
6. In respect of the services of the officer making delivery of possession of property under section 259, 263, 264, 318, 319, 332, or 335 of the Code of Civil Procedure, when property is to be delivered in one town or village only . . . . .	0 12 0	1 8 0
When property is to be delivered in more than one town or village, then for every additional town or village, provided that the aggregate amount of the fees levied under this article shall not exceed ten rupees	0 4 0	0 8 0
7. In respect of the services of the peon, if one be deputed to attend on arbitrators, per diem . . . . .	0 4 0	0 4 0
NOTE.—This fee shall be payable in advance for as many days as may be allowed by the Court for the delivery of the award under section 508 or as may from time to time be allowed under section 514 of the Code of Civil Procedure.		
If this fee is levied, no further fee will be charged under article 8 in respect of service of the order of reference on the arbitrators		

## SECTION B—concluded.

Nature of processes.	In suits of which the amount or value of the subject-matter in dispute does not exceed Rs. 300.	In suits of which the amount or value of the subject-matter in dispute exceeds Rs. 300.
	Rs. A. P.	Rs. A. P.
8. Notice, proclamation, injunction or other order not specified in any preceding article of this section, when the copies to be served or fixed up are not more than two in number, one fee . . . . .	0 8 0	1 4 0
When such copies are more than two in number, then for every additional copy . . . . .	0 4 0	0 8 0
Provided that in the aggregate for service in any one town or village no larger amount than Rs. 8 shall be leviable.		

**Rule II.**—Notwithstanding Rule I, no fee shall be chargeable for serving or executing—

- (a) Any process which may be issued by any Court of its own motion solely for the purpose of taking cognizance of and punishing any act done or words spoken in contempt of its authority.
- (b) Any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party.
- (c) Any copy of a warrant, order or certificate fixed up under sections 264, 274, or 319 of the Code of Civil Procedure, when the fee chargeable under Article 3 or Article 6 of Section B has been paid.
- (d) Any copy of a summons, notice, order, proclamation, or other process fixed up in a Court-house or in the office of a Collector.
- (e) Any notice issued by a District Court under section 322C of the Code of Civil Procedure.
- (f) Any order intimating withdrawal of attachment or postponement of sale.
- (g) Any order intimating to a sale officer that permission has been given to a decree-holder to bid for or purchase property under section 294 of the Code of Civil Procedure.
- (h) Any copy of a notice of an application under Act VIII of 1890 sent to a Collector, or
- (i) Any order directing an officer in charge of a jail to detain or to release a person committed to his custody.

**Rule III.**—No process which comes within the operation of Rule I shall be drawn up for service or execution until the fee chargeable under that rule

has been paid. The fee shall be paid in court-fee stamps, which shall be affixed either on the application by which the Court is moved to issue the process, or, if no such application be filed, on the order by which the Court directs the issue or service of the process. If such an application be filed, it must bear the requisite stamps for the fee in addition to such stamps, if any, as are needed for its own validity.

*Rule IV.*—When a Court sends a process for service or execution to any Court beyond its jurisdiction, it shall endorse on the process a certificate that the fee chargeable under Rule I has been levied, and the process so endorsed will be served or executed free of further charge by the Court to which it is sent.

*Rule V.*—Fees for processes to be issued by a Court to which a commission is addressed shall be payable at the rates declared by Rule I to be chargeable for serving and executing processes issued by such Court.

*Rule VI.*—A process issued by any Court in any presidency or province in British India shall be served or executed free of charge by any Court to which it may be sent within the jurisdiction of the Judicial Commissioner, if it be certified on the process that the proper fee has been levied under the rules in force in such presidency or province.

*Rule VII.*—If for any reason it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in section 209, 270, or 274, or delivery of possession of property under section 259, 263, 264, 318, 319, 332, or 335 of the Code of Civil Procedure, any fee paid in respect of his services shall be refunded.

When, in consequence of a reference to arbitration being withdrawn or of an award being made before the expiry of the time fixed under section 508 or section 514 of the Code of Civil Procedure, the peon has not been deputed to attend on the arbitrators, or has attended on them for a shorter time than that for which payment has been made in respect of his services, the fee paid shall be refunded in whole or in part, as the case may be.

When in consequence of a compromise or for some other reason, it becomes unnecessary to serve or execute a summons, notice, warrant, proclamation, injunction, or order for which a fee has been paid, half the fee shall be refunded if the process has not been issued.

*NOTE.*—The public should be warned by notice posted in some conspicuous place in every Court that, although no limit of time is prescribed for applications for the refund of fees paid under Rule I, yet as such applications can be granted only on view of the stamps originally filed, which are liable to be destroyed under the rules for the destruction of civil records, there is a probability, in case delay be allowed to occur, that it may become impossible to obtain a refund.

*Rule VIII.*—In cases which are covered by the note to Article 7 of Section B, Rule I, the additional fee which may become payable shall be paid in court-fee stamps.

*Rule IX.*—The fee payable by way of poundage on the full amount of the purchase-money shall be paid in court-fee stamps, which shall be affixed on the first application, if any be filed, for payment of such purchase money out of Court, whether it be or be not made by the person who obtained the order of sale, or whether it does or does not extend to the whole of the purchase money. If no such application be filed, then the stamps representing the fee payable shall be affixed on the office report on which the Court has recorded its order for payment. If such an application be filed, it shall bear the requisite stamps for the fee in addition to such stamps, if any, as are needed for its own validity.

Provided that when such fee has once been paid in full in respect of any sale, no further fees shall be payable in respect of the same sale;

Provided also that the party paying such fee shall recover the amount of it out of the purchase-money prior to the distribution thereof among the persons entitled thereto;

Provided also that, when a sale of immoveable property is set aside under section 312 or section 310 of the Code of Civil Procedure, no fee shall be payable by way of poundage on the purchase-money.

*Rule X.*—If default be made in the payment of purchase-money within the time specified in section 307 of the Code of Civil Procedure, the fee payable by way of poundage shall be deducted from the deposit paid under section 306 of the said Code, and stamps representing such fee shall be bought and affixed by the Court on the order directing the deduction to be made.

*Rule XI.*—Any fraction of an anna in a fee payable by way of poundage shall be remitted.

*Rule XII.*—When, in order to the service or execution of any process, the person or other officer who is to serve or execute it has to cross a bridge or ferry, then the amount, if any, legally payable as toll shall be levied in cash from the person at whose instance the process is issued before delivery of the process to such person or other officer.

*Rule XIII.*—The fees paid in pursuance of these rules shall in all proceedings be deemed and treated as part of the necessary and proper costs of the party who pays them, unless such party be entitled to a refund of any such fees, or of any portion of them, and have failed to apply for it.

*Rules under clause (iv), section 20, Act VII of 1870, declaring the fees Criminal process chargeable for serving and executing process issued by the Criminal Courts within the jurisdiction of the Judicial Commissioner.*

I.—The fees hereinafter mentioned shall be chargeable for serving and executing processes issued by any Magistrate in the case of offences other than offences for which the Police may arrest without a warrant, namely:—

	As.
1. Warrant of Arrest . . . . .	8
2. Summons—	
(a) in respect of one person or of the first person named in the summons . . . . .	4
(b) in respect of each other person named in the summons . . . . .	2
3. Proclamation for absconding person under section 87 of the Code of Criminal Procedure . . . . .	8
4. Warrants of Attachment—	
(a) in respect of the warrant . . . . .	8
(b) when it is necessary to place officers in charge of property attached, in respect of each officer so employed per diem, not less than . . . . .	2
not more than . . . . .	3
5. In cases where an application is made by a complainant for the recovery of fees ordered to be repaid under section 31 of the Court-fees Act, 1870, or of compensation granted under section 545 of the Code of Criminal Procedure, or where a person applies for the recovery of compensation awarded to him under section 259 of the Code of Criminal Procedure in respect of the warrant of the levy of the fees, fine or compensation . . . . .	4

Provided that no fee shall be chargeable on any summons to attend as a juror or assessor in a Court of Session.

Provided also that no fee shall be chargeable on any process issued on the complaint or application of any public officer or railway servant acting as such public officer or railway servant.

*Explanation.*—Any person who falls within the definition of “public officer” contained in section 2 of the Code of Civil Procedure is to be deemed a public officer for the purposes of this proviso.

Provided also that the Magistrate may remit in whole or in part the fees chargeable under this rule in cases other than those falling under Chapters XIX, XX, and XXI of the Indian Penal Code, whenever he is satisfied that the complainant or the accused has not the means of paying them.

II.—Fees chargeable under Rule I shall be collected by adhesive stamps, and be levied within a time to be fixed by the Magistrate before process is issued.



III.—No fees shall be chargeable for serving and executing processes issued in the case of offences for which Police-officers may arrest without a warrant.

IV.—A separate process shall be served on each individual summoned or arrested.

V.—Process issued by Courts in British India for service by the Court within the jurisdiction of the Judicial Commissioner shall be served free by the latter Courts.

[*Hyderabad Residency Orders, 1899, Pt. I, p. 353.*]

Use of adhesive<sup>1</sup>  
and impressed  
stamps, and remission  
of fractions of an  
anna] in  
Secunderabad and  
Aurangabad.

No. 1247-I, dated the 19th March 1891.—In exercise of the power conferred by sections 26 and 35 of the Court-fees Act, VII of 1870, as applied to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>1</sup> No. 361, dated the 18th April, 1883, issued by the Department of Finance and Commerce under the aforesaid sections, shall apply to the aforesaid Cantonment from the [1st September, 1891].<sup>2</sup>

[*Gazette of India, 1891, Pt. I, p. 149.*]

[Ditto] in the  
Residency Bazaars.

No. 1839-I, dated the 30th May 1894.—In exercise of the powers conferred by sections 26 and 35 of the Court-fees Act (VII of 1870), as applied to the Hyderabad Residency Bazaars \* \* the Governor General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>1</sup> No. 361, dated the 18th April, 1883, issued by the Government of India in the Department of Finance and Commerce under the aforesaid sections, shall apply to the aforesaid Hyderabad Residency Bazaars.

[*Gazette of India, 1894, Pt. I, p. 298.*]

symment in local  
currency for stamps  
and stamped papers.

No. 46, dated the 3rd August 1901.—In exercise of the powers conferred by section 34 of the Court-fees Act, 1870 (VII of 1870), and sections 74, clause (a) of the Indian Stamp Act, 1899 (II of 1899), as applied to the Cantonment of Secunderabad, the Hyderabad Residency Bazaars, \* \* and the

<sup>1</sup> *Gazette of India, 1883, Pt. I, p. 159*

<sup>2</sup> Substituted by notification No. 3313-I., dated the 13th August 1891. *Gazette of India, 1891, Pt. I, p. 175.*

<sup>3</sup> The kinds of adhesive stamps prescribed by notification No. 1191-S.R., dated the 29th March 1895 (*Gazette of India, 1895, Pt. I, p. 263*), were adopted in these areas with effect from the 1st September 1895 by notifications Nos 1853-I. and 1881-I., dated the 11th June 1895. *Gazette of India, 1895, Pt. I, p. 518*

railway lands in the territories of His Highness the Nizam \* \* \*  
the Resident at Hyderabad is pleased to make the following rules for the  
supply and sale of stamps and stamped papers in and for the areas to which  
the said enactments have been so applied, namely :—

- (1) The value denoted on impressed and adhesive stamps and labels and  
hundi papers shall be deemed to be expressed in the currency of  
British India convertible into Hali Sikka currency at the rate of  
exchange prescribed by the notification of the Government of  
India in the Foreign Department,<sup>1</sup> No. 2702-I.B., dated the 23rd  
July 1901.
- (2) Payment on the purchase of any stamp, label or paper of the kind  
referred to in rule (1) shall be made in the Hali Sikka currency  
only.
- (3) Any impressed or adhesive stamp or label or any hundi paper pur-  
chased before the commencement of these Rules and being unused  
may on payment of the deficiency of 20 per centum be enfaced as  
paid for and the rate referred to in rule 1.

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 225.]

No. 2622-I.B., dated the 7th July 1905.—In exercise of the powers con- Reductio  
remission  
ferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to  
the Hyderabad Residency Bazaars, the Cantonments of Secunderabad and  
Aurangabad, and the railway lands in the territories of His Highness the

Nizam of Hyderabad \* \* \*

No. 1244-I., dated the 19th March  
1891, as amended by notification  
No. 3313-I., dated the 13th August  
1891.

No. 1301-I., dated 18th April 1891

No. 1810-I., dated 30th April 1891.

No. 2991-I., dated 25th September  
1895.

and in supersession of the notifications of the  
Government of India in the Foreign Depart-  
ment cited on the margin so far as they  
apply to those areas, the Governor-General  
in Council is pleased to make the following  
reductions and remissions within those areas

in the fees chargeable by the 1st and 2nd Schedule of the Act, namely :—

- (1) to remit the fees chargeable on applications presented to a Collector  
for refund of the amount paid to the Government for stamped  
paper which has become spoiled or unfit for use or is no longer  
required for use, and on applications for renewal of stamped paper  
which has become spoiled or unfit for use ;

<sup>1</sup> See now notification No. 2991-Exc., dated the 21st May 1908, *supra*, p. 116.

- (2) to direct that, when a *plaint* disclosing a reasonable case on the merits is presented to any Civil or Revenue Court in such a form that the presiding Judge or officer, without summoning the defendant, rejects it, not for any substantial defect, but on account of an entirely technical error in form only, and so as to leave the plaintiff free to prosecute precisely the same case in another form against the same defendant or defendants, the value of the stamp on the *plaint* shall be refunded on presentation of an application to the Collector of the district in which the Court is situated, together with a certificate from the Judge or officer who rejected the *plaint* that it was rejected in the circumstances above described and that the value of the stamp should in his opinion be refunded ;
- (3) to direct that the fee chargeable on appeals from orders under clause (c) of Section 244 of the Code of Civil Procedure, 1882 (Act XIV of 1882)<sup>1</sup>, shall be limited to the amounts chargeable under article II of the Second Schedule ;
- (4) to remit the fees chargeable on security bonds for the keeping of the peace by or good behaviour of persons other than the executants ;
- (5) to remit the fee payable under article 1, clause (c) of the Second Schedule on an application or petition presented to a Chief Commissioner when the application or petition is accompanied by a petition to the Government of India and contains merely a request that that petition may be forwarded to the Government of India ;
- (6) to remit the fees chargeable under articles 6, 7 and 9 of the First Schedule on copies furnished by Civil or Criminal Courts or Revenue Courts or offices for the private use of persons applying for them.

Provided that nothing in this clause shall apply to copies when filed, exhibited or recorded in any Court of Justice or received by any public officer ;

- (7) to remit the fees chargeable under paragraph 4 of clause (a) and paragraph 2 of clause (b) of article 1 of the Second Schedule on applications for orders for the payment of deposits in cases in which the deposit does not exceed Rs. 25 in amount.

Provided that the application is made within three months of the date on which the deposit first became payable to the party making the application ;

<sup>1</sup> See now the Code of Civil Procedure, 1908 (V of 1908), as applied. Vol. I, p. 211.

- (8) to remit the fee chargeable on an application made by a person to the Collector under the second paragraph of section 42 of the Indian Stamp Act, 1899 (II of 1899), for the return to that person or to the registration officer who impounded it, of a document impounded and sent to the Collector by a registration officer ;
- (9) to remit the fee chargeable on an application made for transfer of a stock note from one circle to another under paragraph 6 of Resolution No. 2566, dated the 20th August 1885 ;
- (10) to remit the fees chargeable on the following documents, namely :
- (a) copy of a charge framed under section 210 of the Code of Criminal Procedure, 1898 (Act V of 1898), or of a translation thereof when the copy is given to an accused person ;
  - (b) copy of the evidence of supplementary witnesses after commitment when the copy is given under section 219 of the said Code to an accused person ,
  - (c) copy or translation of a judgment in a case other than a summons case, and copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person ;
  - (d) copy or translation of a judgment in a summons case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail ;
  - (e) copy of an order of maintenance when the copy is given under section 490 of the said Code to the person in whose favour the order is made, or to his guardian, if any, or to the person to whom the allowance is to be paid ;
  - (f) copy furnished to any person affected by a judgment or order passed by a Criminal Court of the Judge's charge to the jury or of any order, deposition, or other part of the record when the copy is not a copy which may be granted under any of the preceding sub-clauses without the payment of a fee, but is a copy which on its being applied for under section 518 of the said Code the Judge or Magistrate for some special reason to be recorded by him on the copy thinks fit to furnish without such payment ;
  - (g) copies of all documents furnished under the orders of any Court or Magistrate to any Government Advocate or Pleader or other person specially empowered in that behalf for the

purpose of conducting any trial or investigation on the part of the Government before any Criminal Court;

- (k) copies of all documents which any such Advocate, Pleader, or other person is required to take in connection with any such trial or investigation for the use of any Court or Magistrate or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings;
- (i) copies of judgments or depositions required by officers of the Police Department in the course of their duties;

11) to direct that the fee chargeable—

- (a) on application to a Collector, or to any officer or person discharging all or any of the functions of a Collector, with respect either to liability to assessment or to the amount of an assessment under Act II of 1886 (*an Act for imposing a tax on income derived from sources other than agriculture*) and
- (b) on a copy of an order passed under section 26 of the same Act, shall be limited to one anna;
- (12) to remit the fee chargeable on an application presented by any person for the return of a document filed by him in any Court or public office;
- (13) to direct that, if the amount of the fee chargeable in any case involves a fraction of an anna, the fraction shall be remitted, except where otherwise expressly provided by this notification;
- (14) to remit the fee chargeable on an application for the grant of a license for the vend of stamps;
- (15) to direct that no court-fee shall be charged on an application for the repayment of a fine or of any portion of a fine the refund of which has been ordered by competent authority;
- (16) to remit the fees chargeable on copies of documents furnished by a Court of Session or the High Court to a pleader appointed by the Court to defend a person accused of murder;
- (17) to remit the fees chargeable under Schedule II on applications for copies of the documents detailed in clause 10 above.

[*Gazette of India*, 1905, Pt. I, p. 198.]

No. 1437-G., dated the 28th July 1911.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to the Hyderabad Residency Bazars and the Cantonments of Secunderabad

and Aurangabad and in supersession of all previous notifications on the same subject, the Governor-General in Council is pleased—

(a) to remit all fees payable under Schedule II to the said Act upon applications relating to licenses or duplicates granted or renewed under the Hyderabad Residency Arms Rules, 1911, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b); and

(b) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon applications relating to licenses or duplicates granted or renewed under the said rules in respect of which—

(i) no fee is payable under the said rules, or

(ii) the fee payable under the said rules has been collected in full.

[ *Gazette of India*, 1911, Pt. I, p. 613.]

No. 60, dated the 19th October, 1901.—Whereas it appears to the Resident at Hyderabad on the report on the Cantonment Magistrate of Secunderabad that in the local area herein below specified subject to the jurisdiction of the said Cantonment Magistrate cattle are habitually allowed to trespass on the land and damage crops or other produce thereon, the Resident at Hyderabad is pleased to direct, in exercise of the power conferred upon him by section 12 of the Cattle Trespass Act, 1871, as amended by section 3 (i) of Act I of 1891, and as applied to the Cantonment of Secunderabad, that on and after the 15th November 1901 for every head of cattle specified in the scale contained in the first mentioned section which may be seized within the said local area and impounded in accordance with the provisions of the Cattle Trespass Act, 1871, as amended by Act I of 1891, the pound-keeper shall levy a fine equal to double the fine mentioned in the scale aforesaid :—

Cattle-trespass Act,  
1871.

Pound fines in  
Secunderabad

*Local area referred to.*—The area comprising the limits of the Cantonment of Secunderabad.

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 297.]

No. 32-J., dated the 11th April 1907.—In exercise of the power conferred by section 26 of the Cattle Trespass Act, 1871, as amended by section 8 of Act I of 1891 and applied to the Cantonment of Secunderabad, the Resident is pleased to direct that, with respect to the Cantonment, the first paragraph of the said section 26 of the Cattle Trespass Act, 1871, shall on and after the 15th April 1907 be read as if it had reference to "cattle" generally instead of the

Extension of provisions of section 26 to cattle and enlargement of fines in Secunderabad.

"pigs" only and as if the words "Fifty rupees" were substituted for the words "ten rupees."

[*Hyderabad Residency Orders, 1907, Pt. I, p. 73.*]

*No. 44, dated the 23rd June 1905.*—Whereas it appears to the Resident on the report of the Deputy Adjutant-General, Western Command, Poona, that in the Cantonment of Aurangabad cattle are habitually allowed to trespass and do damage to the compounds of hungalows, and also to the trees on the road side.

In exercise of the power conferred by section 12 of Act I of 1871 (The Cattle Trespass Act) as amended by section 5 (1) of Act I of 1891, the Resident is pleased to direct that on and after the 1st July 1905, for every head of cattle, specified in the scale contained in the first mentioned section, which may be seized within the said Cantonment and impounded in accordance with the provisions of the Cattle Trespass Act, 1871, as amended by Act I of 1891, the pound-keeper shall levy a fine not exceeding double the fine mentioned in the scale aforesaid.

And in exercise of the power conferred by section 20 of the Cattle Trespass Act, 1871, as amended by section 8 of Act I of 1891, the Resident is pleased to direct that, with respect to the said Cantonment of Aurangabad, the first paragraph of the said section 20 of the Cattle Trespass Act, 1871, shall on and after the date specified in the first paragraph of this notification be read as if it had reference to cattle of any kind instead of to pigs only, and as if the words "fifty rupees" were substituted for the words "ten rupees." —  
[*Hyderabad Residency Orders, 1905, Pt. I, p. 119.*]

*No. 3-J, dated the 8th January 1906.*—In exercise of the powers conferred by section 14 of the Special Marriage Act, 1872 (III of 1872), as applied to the Hyderabad Residency Bazaars, the Cantonment of Secunderabad (inclusive of the area hitherto known as the "Contingent Station" of Bolarum, the Cantonment (hitherto known as the "Contingent Station") of Aurangabad, and the Railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident is pleased to lay down the following scale of fees to be paid to the Registrar of Marriages under the said Act as applied :—

	Government. Rs. A. P.
For the solemnization of a marriage at the Office of a Registrar of Marriages . . . . .	5 0 0
For such solemnization at a private house within the district of a Registrar of Marriages . . . . .	15 0 0

	Government.
	Rs. A. P.
For the registration of a notice under section 4 of the Act . . . . .	0 8 0
For the registration of an objection under section 6 of the Act . . . . .	1 0 0
For a copy of a marriage certificate . . . . .	1 0 0
For every other application which may be necessary under the Act . . . . .	0 8 0

The fees shall be collected by means of court-fee stamps of the face value of the amounts specified above, but when the Registrar attends at a private house Rs. 5 only of the fees shall be so collected, and the remainder shall be collected in cash, and be held to be the perquisite of the Registrar.

[*Hyderabad Residency Orders, 1906, Pt. 1, p. 12*]

No. 4-J, dated the 8th January 1906.—In exercise of the power conferred by section 3 of the Special Marriage Act, 1872 (III of 1872), as applied to the Hyderabad Residency Bazars, and the Cantonment of Secunderabad (inclusive of the area hitherto known as the "Contingent Station" of Bolarum), the Resident is pleased to appoint the undermentioned officers to be *ex-officio* Registrars of Marriages under the Act as applied for the areas specified against their names :—

Officers.	Areas.
The Superintendent of the Residency Bazars.	The Hyderabad Residency Bazars.
The Cantonment Magistrate of Secunderabad.	The Cantonment of Secunderabad (inclusive of the area hitherto known as the "Contingent Station" of Bolarum).

[*Hyderabad Residency Orders, 1906, Pt. I, p. 12.*]

No. 15, dated the 17th July 1893.—In exercise of the power conferred by section 7 of the Indian Christian Marriage Act, XV of 1872, as applied to the Cantonment of Secunderabad \* \* the Resident is pleased to appoint the Cantonment Magistrate to be the senior Marriage Registrar within the limits of the Cantonment of Secunderabad

[*Hyderabad Residency Orders, 1893, Pt. I, p. 131.*]

No. 3, dated the 26th January 1894.—In exercise of the power conferred by section 62 of the Indian Christian Marriage Act, XV of 1872, as modified by Act II of 1891, and as applied to the Cantonment of Secunderabad\* \*the Resident is pleased to direct that the Register Book to be kept and the extracts

Indian Christian Marriage Act, 1872.  
Cantonment Magistrate to be senior Marriage Registrar for Secunderabad.

Forms of Register Book and extracts and quarterly report of extracts with Registrar General for Secunderabad.



therefrom to be deposited with the Registrar General of Births, Deaths, and Marriages under section 62 of the Indian Christian Marriage Act, 1872, as amended by section 4 of Act II of 1891, shall be respectively in the forms of the Marriage Register Books and of the certificate contained in Schedule IV of the said Act. And the Resident is further pleased to direct that the authenticated extracts from the Register Book to be deposited with the Registrar General shall be deposited at intervals of three months, that is to say, on the 1st January, April, July and October in each year, or as shortly after the said dates as is possible.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 20.]

*No. 23, dated the 19th April 1906.*—The following revised rules for the regulation of hackney carriages in the Cantonment of Secunderabad, inclusive of the area hitherto known as the Contingent Station of Belarum, having been sanctioned by the Resident, are published for general information and guidance :—

1. Every vehicle ordinarily used within the Cantonment of Secunderabad for the conveyance of passengers, goods or materials for hire shall be deemed a hackney carriage within the meaning of these Rules.

2. Every hackney carriage within the cantonment of Secunderabad shall be annually registered by a registering officer, who shall be appointed for the purpose by the Cantonment Magistrate, and every act of the registering officer done under or by virtue of these Rules shall be subject to the order and control of the Cantonment Magistrate.

3. The year of registration shall commence on the first day of January of each year, and every registration made on any date within such year of registration shall be in force to the end thereof and no longer. The registering officer shall at the time of registration deliver a license to the owner of every hackney carriage registered as aforesaid.

4. Hackney carriages shall be divided into five classes as follows :—

*Special class.*—Superior four-wheeled carriages drawn by two horses or two ponies (not under 13-2 hands).

1 [First and second class.—All horse drawn vehicles not included in the special or third class according to the classification made by the registering officer at the time of registration.]

*Second class.*—Inferior tongas drawn by two ponies and superior two-wheeled carriages drawn by one pony.

*Third class.*—Inferior carriages drawn by one pony and bullock coaches drawn by two bullocks.

<sup>1</sup> Substituted by notification No. 101-J, dated the 18th October 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 222.

*Fourth class.*—Vehicles drawn by one bullock, and country carts drawn by two bullocks.

5. Any person desirous of registering a carriage as a hackney carriage shall apply to the registering officer and submit such carriage with its horses, ponies, or bullocks and harness for inspection, and the registering officer shall register it if he is satisfied—

- (1) That the carriage is in good order and repair in all its parts and is suitable in appearance ;

### No. 25.

*Page 17.*—In clause 2 of rule 5 of the rules published with notification No. 23, dated the 19th April 1906, as subsequently amended, omit the words "unless it is a country cart drawn by two bullocks and used for the carriage of goods and materials in which case it need have only one lamp under the driver's seat," and delete the footnote.

(Notification No. 42-J., dated the 13th May 1914.)

[*Hyderabad Residency Orders, 1914, Pt. I, p. 37.*]

shall brand the number of the license, assigned to the carriage in the register, on the hoofs of horses and ponies, and on the horns of bullocks under the letters S. H. C. ; or the brand may be made on the neck of the animal if the person producing the animal for registration so desires.

As the brand marks on the hoofs of horses and ponies grow out, owners of licenses shall be bound to get marks so made renewed, as may be necessary by the registering officer, and for this there shall be no fee.

6. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these Rules.

7. If the owner of a carriage considers that his vehicle has been wrongly classed by the registering officer, he may appeal to the Cantonment Magistrate, who shall personally inspect the carriage and whose decision as to its class shall be final.

8. The following fees shall be payable on registration :—

	H. S. Rs.
Special class . . . . .	12
First class . . . . .	9
Second class . . . . .	6
Third class . . . . .	4
Fourth class . . . . .	3
Spare animals which the owners of carriages may wish to keep in reserve, per head . . . . .	2

Provided that in case of registration for a portion only of the year the fees

<sup>1</sup> See notification No. 51, dated the 29th May 1907. *Hyderabad Residency Orders, 1907, Pt. I, p. 77.*

shall be proportionately reduced, but no reduction shall be made for a fraction of a quarter.

9. Every license shall set forth—

1st.—The class and the number assigned to the carriage in the register.

2nd.—The name and residence of the owner of the carriage.

3rd.—The number and description of animal to be employed in drawing such carriage.

4th.—The number of persons and the weight of property the carriage is licensed to carry, <sup>1</sup> [in determining which regard shall be had to the following scale :—

Class of conveyance.	Description of conveyance.	Drawn by	Number of persons including the driver and syce.	Load.
Special	Drag . . .	2 horses . .	10 to 12 (a) .	
	Landau . . .	" . . .	4 to 6 (a)	
First	Brougham . .	" . . .	4 to 6 (a)	
	" . . .	1 horse . . .	4 to 6 (a)	
	Phaeton or Victoria	2 horses or 2 ponies	4 to 6 (a)	
	" . . .	1 horse . . .	4 to 6 (a)	
Second	Tonga . . .	2 ponies . . .	4	
	Jhatka . . .	" . . .	4	
	Tonga . . .	1 pony (b) . .	4	
	Jhatka . . .	1 " (b) . . .	4	
Third	" . . .	1 " (c) . . .	3	
	Bullock cab . .	2 bullocks . .	6 . . . . .	16 maunds.
Fourth	" . . .	1 bullock . . .	1 . . . . .	10 "
	Country cart . .	" . . .	4 . . . . .	10 "
	" . . .	2 bullocks . .	7 . . . . .	20 "

(a) According to the number of seats provided in the vehicle.

(b) Provided the pony is not under 13-2.

(c) If the pony is under 13-2 but not under 12.

(d) No pony under 12 hands should be licensed ]

10. The registering officer may inspect any carriage registered under these rules at such time and place as he may appoint after sunrise and before sunset

<sup>1</sup> See notification No. 61, dated the 29th May 1907. *Hyderabad Residency Orders, 1907*, Pt. I, p. 77.

and may suspend or cancel any license granted, whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10-A. The owner of any hackney carriage whose license has been suspended or cancelled under Rule 10 shall not use the carriage, or animal, or harness, as the case may be, until the license shall have been again restored. If he does so in contravention of this Rule, he shall be liable to the penalty laid down in the Act.

11. The Assistant Superintendent of Police, or the registering officer, or any Inspector of Police [or the Hackney Carriage Inspector] may at any time between sunrise and sunset enter any premises on which licensed vehicles, animals, harness, and other things used therewith are kept, in order to carry out any provisions of these Rules, and the proprietor or his agent shall afford every facility for inspection. But any complaint founded on such inspection shall be laid for orders before the Cantonment Magistrate.

12. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been transferred shall desire to use it as a hackney carriage, he shall, before so using it, give to the registering officer notice in writing of such transfer and of his name and place of abode; and the registering officer, on receipt of such notice, shall amend the register and license accordingly on the payment of a fee of one rupee.

No such person shall, before giving such notice as aforesaid, use such carriage as a hackney carriage.

13. Whenever the owner of a carriage registered under these Rules shall change his residence, or shall cease to ply such carriage for hire, he shall give notice thereof in writing to the registering officer.

14. Upon the registration of any carriage, the registering officer shall provide a plate bearing the class and the number of such carriage in the register and the number of persons it is licensed to carry, and shall cause such plate to be affixed on a conspicuous part of the outside of such carriage.

Provided that in the case of 1st class carriages it shall be lawful for the registering officer at his discretion to allow such plate to be affixed inside the carriage, and the brass badge mentioned in Rule 16 to be carried by the driver otherwise than on his right arm.

15. No carriage shall be let or used for hire without having a proper plate duly affixed as required by the preceding Rule.

16. Every driver of a hackney carriage shall receive a license, with a serial

<sup>1</sup> Inserted by notification No. 50-J., dated the 2<sup>nd</sup> September 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 145

number, to be entered in a separate register kept by the Registering Officer, and a brass badge bearing his name and the number of his licenses :

Provided that no person under 16 years of age shall be granted a driver's license.

- (1) Every such license shall contain the number of the license, the name, father's name, place of abode, and the age of the person to whom such license is granted ;

the description of carriage and animals such person is licensed to driver ;  
the date on which the license was granted ;

and shall bear the signature of the Registering Officer.

- (2) A fee of one rupee shall be payable for the grant of each license and badge, or for the renewal of each license, or for the issue of a new license or badge to replace a license or a badge which has been lost or destroyed. The license shall continue in force to the end of the year of registration prescribed in Rule 3 and no longer.

- (3) Every driver to whom a license and badge has been granted shall at all times while acting as a driver, or while attending before any Magistrate or the Registering Officer, carry such license with him, and wear such badge exposed to view on his right upper arm.

- (4) Every driver shall produce his license when required by a Magistrate or other person authorized by the rules in this behalf, and no person shall act as a driver who is not in possession of a badge and license.

- (b) No licensed driver shall allow his license or badge to be used by any other person.

- (6) Every driver who leaves the Cantonment of Secunderabad, or who discontinues his employment, shall deposit his badge at the Police Office with the Registering Officer.

- (7) Every licensed driver must always be sufficiently and cleanly clad, and any driver neglecting this rule is liable to be deprived of his license.

17. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the registering officer may suspend or cancel the license of any hackney carriage, the driver of which shall appear to him incompetent or unfit or under 16 years of age.

- (1) No owner of a hackney carriage shall knowingly suffer any person

not duly licensed under Rule 16 to act as driver of such carriage :

Provided that such owner and such unlicensed driver shall be subject to all the provisions of the Act and these Rules for any act done or omitted to be done by such driver during such employment in like manner as if such driver had been duly licensed.

- (2) No person shall for the purpose of deception use or wear any badge resembling, or intended to resemble, any badge granted under the authority of these Rules.

13. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the schedule annexed to these Rules.

<sup>1</sup>[19. The owner of every special, first and second class hackney carriage shall keep with the driver of such carriage a printed table of fare to be signed and supplied by the Registering Officer on payment, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage.]

19-A. Whenever the license referred to in Rule 3 shall be defaced or lost, the owner may obtain from the registering officer a fresh license on payment of fees at the following rates:—

		H. S.		
		Rs.	A.	P.
Special class	.	5	0	0
1st	"	4	0	0
2nd	"	3	0	0
3rd	"	2	0	0
4th	"	1	0	0

20. Whenever the plate referred to in Rule 14, or the ticket referred to in Rule 19, shall be defaced or lost, the owner may obtain from the registering officer a fresh plate or a fresh ticket on payment of a fee of Rs. 2 for the former and the actual cost of the latter plus 2 annas.

21. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the registering officer shall prescribe.

<sup>1</sup> See notification No. 51, dated the 28th May 1907. *Hyderabad Residency Orders*, 1907, Pt. I, p. 77.

22. Every driver of a hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled, or who shall refuse to admit and carry in his carriage the number of persons specified to be carried in such carriage, or who shall carry more than such number of passengers, or who shall, before he has been discharged by the hirer, desert from the hiring, shall be liable to the penalty laid down in the Act and in addition to the revocation or suspension of his license.

23. Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive, in addition to any other punishment provided for the offence under any law for the time being in force.

24. The owner of any hackney carriage against the driver of which a complaint has been made under Rules 22 and 23 before a Magistrate may be summoned to produce the driver, and shall so produce the driver under penalty of the revocation of his license.

24-A. The driver or owner of any hackney carriage whose license has been suspended or revoked under Rule 23 or 24 shall not use the carriage or the animal, as the case may be, until the license shall have been again restored. If he does so in contravention of this Rule, he shall be liable to the penalty laid down in the Act.

25. Any person using a hackney carriage who shall wilfully injure the same, or who shall maliciously or knowingly deface, destroy, or remove any ticket which shall have been affixed under the provisions of Rule 19, shall be liable to the penalty laid down in the Act, and shall also pay to the owner any compensation which the Magistrate shall award, and the amount of such compensation shall be recoverable as a fine.

26. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English, Urdu, and Telugu that hackney carriages are for hire upon the premises.

27. Property left in public conveyances must be at once made over to the officer in charge at the nearest Police Station to be returned to the owner on payment of all reasonable expenses and of such reward as the Cantonment Magistrate may fix.

28. The registering officer may, from time to time, appoint one or more stands in the Cantonment of Secunderabad for carriages registered under these Rules; and no driver shall stand or loiter for the purpose of being hired, in any other public place than at an appointed stand.

Those localities which are mentioned in the table of distances appended to these Rules and which are situate within the Cantonment of Secunderabad shall be deemed to be 'carriage stands' for the purpose of the table of fares.

29. Nothing contained in these Rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day or month on such terms as may be arranged between the owner and the hirer.

30. Prosecutions for breach of these Rules may be instituted by any passenger, \* \* \* member of the Cantonment Committee, or by the registering officer. <sup>1</sup>[All offences under these Rules are cognizable by the police, but no driver shall be detained after his name and address have been ascertained, and the drivers who are not residents of the Cantonment of Secunderabad shall be released on their giving security for a sum not exceeding Rs. 10 to appear before the Cantonment Magistrate.]

*Schedule of fares for time and distance for Hackney Carriages in the Cantonment of Secunderabad.*

Particulars.	Special class.	1st class	2nd class	3rd class	4th class	REMARKS.
	Rs. A P.	Rs. A P.	Rs. A P.	Rs. A P.	Rs. A P.	
<i>For time.</i>						
<i>For one hour or less than one hour.</i>	3 0 0	1 4 0	1 0 0	0 8 0	0 6 0	For two or less passengers.
<i>For every hour or part of an hour over one hour up to three hours, an additional fare of</i>	0 12 0	0 8 0	0 6 0	0 4 0	0 3 0	
<i>From three hours up to six hours before midnight.</i>	5 0 0	3 0 0	2 8 0	1 8 0	1 0 0	
<i>From six hours up to 12 hours before midnight.</i>	7 0 0	4 0 0	3 8 0	2 8 0	1 8 0	
<i>For every hour or part of an hour after midnight up to 5 A.M., an additional fee of</i>	0 8 0	0 6 0	0 4 0	0 2 0	0 1 0	
<i>Per hour</i>	0 4 0	0 3 0	0 2 0	0 1 0	0 1 0	For every passenger in addition to the two.
<i>Minimum speed per hour.</i>	7 miles	6 miles	6 miles	4 miles	3 miles.	

<sup>1</sup> See notification No. 51, dated the 29th May 1907 Hyderabad Residency Orders, 157, Part I, page 77.



*Schedule of fares for time and distance for Hackney Carriages in the Cantonment of Secunderabad—contd.*

Particulars.	Special class.	1st class	2nd class	3rd class	4th class.	REMARKS.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
<i>For distance.</i>						
For two miles and under .	1 8 0	1 0 0	0 12 0	...	...	
For every succeeding mile or portion of a mile.	0 6 0	0 4 0	0 3 0	...	...	
For a mile or portion of a mile	...	...	...	0 2 6	0 1 6	
For every passenger in excess of two per mile or portion of a mile.	0 3 0	0 2 0	0 2 0	0 1 0	0 1 0	
Stoppage over quarter of an hour, for each quarter hour of detention.	0 2 0	0 2 0	0 2 0	0 0 0	0 0 0	
Minimum speed per hour in miles.	7 miles.	6 miles	6 miles.	4 miles.	2 miles.	

*Notes.*

I. Time is to be calculated from the hour at which the hirer requires the carriage to the hour when he discharges it.

II. If the carriage be summoned from stables over half mile distant to take up the hirer, the distance going and returning to stables shall be charged at rate of "additional mileage."

III. No animal or pair of animals shall be required by the hirer to drive more than 8 miles from place of hiring; and no carriage shall be liable for hire for more than 9 hours in one day.

IV. All fares are payable on the discharge of the carriage unless in the case of hackney carriage proprietors, who are willing to keep monthly or other accounts.

V. The maximum load for 4th class vehicles carrying goods or materials shall be 1,600lb or 20 maunds for double bullock carts and 800lb or 10 maunds for single bullock carts.

VI. The distance fixed in the "table of distances" appended will be deemed to be the correct distance for the purposes of calculating hire.

VII. All distances to be calculated from and to the carriage stand nearest to the stables from which the carriage has been hired.

VIII. The proprietor of a carriage shall have the option of charging fares either by time or by distance according to the circumstances of each journey performed, but not by both time and distance at the same time.

IX. Notwithstanding the above prescribed schedule of fares, which shall rule in all ordinary cases, it shall be lawful on the part of both the proprietor of a carriage and the hirer of the same, if they choose, to enter into an agreement as regards special rates for journeys which may be performed either within or without the limits of the Secunderabad Cantonment.

*Table of distances (Rule 2c) not reprinted.*

*[Hyderabad Residency Orders, 1906, Part I, page 33.]*

*No. 89, dated the 22nd September 1908.*—The following revised rules for the regulation of hackney carriages in the Cantonment of Aurangabad having been sanctioned by the Resident \* \* \* are published for general information. They will come into force on the 1st November 1908 :—

1. Every vehicle ordinarily used within the Cantonment of Aurangabad for the conveyance of passengers, goods, or materials for hire shall be deemed a hackney carriage within the meaning of these Rules.

2. Every hackney carriage within the Cantonment of Aurangabad shall be annually registered in the Office of the Secretary, Cantonment Committee,

### No. 26.

*Page 25.*—Substitute "April" for "January" in rule 3 of the rules published with notification No. 89, dated the 22nd September 1908.

(Notification No. 45-J, dated the 16th June 1911.)

[*Hyderabad Residency Orders, 1914, Pt. I, p. 49.*]

4. Hackney carriages shall be divided into three classes as follows :—

*First class.*—Tongas drawn by two ponies of special quality.

*Second class.*—Tongas drawn by two ponies and two wheeled carriages drawn by one pony.

*Third class.*—Country carts drawn by two bullocks.

5. Any person desirous of registering a carriage as a hackney carriage shall apply to the Registering Officer and submit such carriage with its ponies, or bullocks, and harness for inspection, and the Registering Officer shall register it if he is satisfied—

- (1) That the carriage is in good order and repair in all its parts and is suitable in appearance.
- (2) That it is provided with two good lamps or in the case of a bullock cart with one good lamp.
- (3) That the animals are in good working condition and free from any contagious disease, and (in the case of ponies) not less than four years old.
- (4) That the harness is complete and serviceable.

5-A. At the time of inspection prior to registration, the Registering Officer shall brand the number of the license, assigned to the carriage in the register, on the hoofs of ponies and on the horns of bullocks under the letters A. H. C., or the brand may be made on the neck of the animal if the person producing the animal for registration so desires.

As the brand marks on the hoofs of ponies grow out, owners of licenses shall be bound to get marks so made renewed, as may be necessary by the Registering Officer, and for this there shall be no fee.

6. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these Rules.

7. If the owner of a carriage considers that his vehicle has been wrongly classed by the Registering Officer, he may appeal to the President of the Cantonment Committee, who shall personally inspect the carriage and whose decision as to its class shall be final.

3. The following fees shall be payable on registration—

	H. S.
	Hs. A. P.
First Class . . . . .	9 0 0
Second „ . . . . .	6 0 0
Third „ . . . . .	2 0 0
Spare animals which the owners of carriages may wish to keep in reserve, per head . . . . .	2 0 0

Provided that in case of registration for a portion only of the year the fees shall be proportionately reduced, but no reduction shall be made for a fraction of a quarter.

9. Every license shall set forth—

1st—The class and the number assigned to the carriage in the Register.

2nd—The name and residence of the owner of the carriage.

3rd—The number and description of animal to be employed in drawing such carriage.

4th—The number of persons and the weight of property the carriage is licensed to carry

10. The Registering Officer may inspect any carriage registered under these Rules at such time and place as he may appoint after sunrise and before sunset, and may suspend or cancel any license granted whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10-A. The owner of any hackney carriage whose license has been suspended or cancelled under Rule 10 shall not use the carriage, or animal, or harness, as the case may be, until the license shall have been again restored. If he does so in contravention of this rule, he shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law

11. The Registering Officer, or any Police Officer, not below the rank of Sub-Inspector, may at any time between sunrise and sunset enter any premises in which licensed vehicles, animals, harness, and other things used therewith are kept, in order to carry out any provisions of these rules, and the proprietor or his agent shall afford every facility for inspection.

12. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been transferred shall

desire to use it as a hackney carriage, he shall, before so using it, give to the Registering Officer notice in writing of such transfer and of his name and place of abode; and the Registering Officer, on receipt of such notice, shall amend the register and license accordingly on the payment of a fee of II. S. Re. 1.

No such person shall, before giving such notice as aforesaid, use such carriage as a hackney carriage.

13. Whenever the owner of a carriage registered under these Rules shall change his residence, or shall cease to ply such carriage for hire, he shall give notice thereof in writing to the Registering Officer.

14. Upon the registration of any carriage, the Registering Officer shall provide a plate bearing the class and the number of such carriage in the register and the number of persons it is licensed to carry, and shall cause such plate to be affixed on a conspicuous part of the outside of such carriage.

15. No carriage shall be let or used for hire without having a proper plate duly affixed as required by the preceding Rule.

16. Every driver of a hackney carriage shall receive a license, with a serial number, to be entered in a separate register kept by the Registering Officer, and a brass badge bearing his name and the number of his license.

Provided that no person under sixteen years of age shall be granted a driver's license.

- (1) Every such license shall contain the number of the license, the name, father's name, place of abode, and the age of the person to whom such license is granted;

the description of carriage and animals such person is licensed to drive;

the date on which the license was granted;

and shall bear the signature of the Registering Officer.

- (2) A fee of one rupee shall be payable for the grant of each license and badge or for the renewal of each license, or for the issue of a new license or badge to replace a license or a badge which has been lost or destroyed. The license shall continue in force to the end of the year of registration prescribed in Rule 3 and no longer.

- (3) Every driver to whom a license and badge has been granted shall at all times while acting as a driver, or while attending before any Magistrate or the Registering Officer, carry such license with him, and wear such badge exposed to view on his right upper arm.

- (4) Every driver shall produce his license when required by a Magistrate or other person authorised by the Rules in this behalf, and no person shall act as a driver who is not in possession of a badge and license.
- (5) No licensed driver shall allow his license\* or badge to be used by any other person.
- (6) Every driver who leaves the Cantonment of Aurangabad, or who discontinues his employment, shall deposit his badge at the Office of the Secretary, Cantonment Committee.
- (7) Every licensed driver must always be sufficiently and cleanly clad, and any driver neglecting this Rule is liable to be deprived of his license.

17. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the Registering Officer may suspend or cancel the license of any hackney carriage, the driver of which shall appear to him incompetent or unfit or under sixteen years of age

(1) No owner of a hackney carriage shall knowingly suffer any person not duly licensed under Rule 16 to act as driver of such carriage; and in the event of any unlicensed person acting as a driver in contravention of this Rule the owner of the carriage shall be responsible for any damage caused by any act of such person:

Provided that such owner and such unlicensed driver shall be subject to all the provisions of these Rules for any act done by such driver during such employment in like manner as if such driver had been duly licensed.

- (2) No person shall for the purpose of deception use or wear any badge resembling, or intended to resemble, any badge granted under the authority of these Rules.

18. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the Schedule annexed to these Rules.

19. The owner of every hackney carriage shall keep affixed in a conspicuous position in the inside of such carriage a table signed and supplied by the Registering Officer, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage. The table should be printed or written in English and Urdu.

19-A. Whenever the license referred to in Rule 3 shall be defaced or lost,

the owner may obtain from the Registering Officer a fresh license in payment of fees at the following rates :—

	H. S. Rs.
First Class . . . . .	4
Second „ . . . . .	3
Third „ . . . . .	1

20. Whenever the plate referred to in Rule 14, or the table referred to in Rule 19, shall be defaced or lost, the owner may obtain from the Registering Officer a fresh plate or a fresh table on payment of a fee of Hali Sikka Rs. 2 for the former and the actual cost of the latter *plus* 2 annas.

21. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the Registering Officer shall prescribe.

22. Every driver of hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled, or who shall refuse to admit and carry in the carriage the number of persons specified to be carried in such carriage or who shall carry more than such number of passengers or who shall before he has been discharged by the hirers desert from the hiring, shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law, and, in addition, to the revocation or suspension of his license.

23. Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive, in addition to any other punishment provided for the offence under any law for the time being in force.

24. The driver or owner of any hackney carriage whose license has been suspended or revoked shall not use the carriage or the animal, as the case may be, until the license shall have been again restored. If he does so in contravention of this Rule, he shall be liable to the penalty laid down in section 5 of the Hackney Carriage Law.

25. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English and Urdu that hackney carriages are for hire upon the premises.

26. Property left in public conveyances must be at once made over to the

officer in charge at the nearest Police Station to be returned to the owner on payment of all reasonable expenses

27. The Registering Officer may from time to time appoint one or more stands in the Cantonment of Aurangabad for carriages registered under these rules; and no driver shall stand or loiter for the purpose of being hired in any other public place other than an appointed stand.

28. Nothing contained in these rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day or month on such terms as may be arranged between the owner and the hirer.

29. Prosecutions for breach of these rules may be instituted by any passenger, Police Officer, Member of the Cantonment Committee or by the Registering Officer.

*Schedule of fares for Hackney Carriages in the Cantonment of Aurangabad.*

ITEMS.		H. S.	
<i>First class.</i>		Rs. A. P.	
1.	Tonga hire in the Station, 1st hour . . . . .	0	14 0
2.	Tonga hire in the Station, every subsequent hour . . . . .	0	8 0
3.	" " per day of 8 hours . . . . .	3	12 0
4.	" " to or from City and back . . . . .	1	11 0
5.	" to or from Railway Station (single journey) . . . . .	0	12 0
6.	" if previously ordered to meet train . . . . .	1	0 0
7.	" to Roza single journey . . . . .	2	0 0
8.	" " and back . . . . .	12	0 0
9.	As batta per day outside Cantonment when halting . . . . .	3	0 0
10.	" " if used locally . . . . .	3	12 0
11.	Tonga hire for dinner and back within Cantonment . . . . .	1	12 0
12.	" " if outside Cantonment . . . . .	3	8 0
<i>Second class.</i>			
1.	Tonga hire in the station within three hours . . . . .	1	0 0
2.	" " for every subsequent three hours . . . . .	0	12 0
3.	" " per day . . . . .	3	0 0
4.	" to or from City and back . . . . .	1	0 0
5.	" to or from Railway Station (single journey) . . . . .	0	8 0
6.	" if previously ordered to meet train . . . . .	1	0 0
7.	" to Roza single journey . . . . .	7	8 0
8.	" and back . . . . .	10	0 0
9.	" as batta per day out station when halting . . . . .	2	0 0
10.	" " if used locally . . . . .	3	0 0
11.	" for dinner and back within Cantonment . . . . .	1	0 0
12.	" " if outside Cantonment . . . . .	2	0 0
<i>Third class.</i>			
1.	Hire of cart for one day . . . . .	1	0 0
2.	" to or from Railway Station (single journey) . . . . .	0	8 0

No. 18, dated the 17th March 1900.—The following rules for the regulation of hackney carriages in the Hyderabad Residency Bazars, having been sanctioned by the Resident, are published for general information. Rules for the  
Residency Bazars

1. Every hackney carriage within the Hyderabad Residency Bazars shall be annually registered by the Superintendent of Residency Bazars.

2. The year of registration shall commence on the first day of January of each year, and every registration made on any date within such year of registration shall be in force to the end thereof, and no longer. The Superintendent, Residency Bazars, shall at the time of registration deliver a license to the owner of every hackney carriage registered as aforesaid.

3. Hackney carriages shall be divided into five classes as follows:—

*Special Class*.—Superior four-wheeled carriages drawn by two horses or two ponies (not under 13-2 hands).

*First Class*.—Four-wheeled carriages drawn by two horses or one horse and superior tongas drawn by two ponies.

*Second Class*.—Inferior tongas drawn by two ponies and superior two-wheeled carriages drawn by one pony.

*Third Class*.—Inferior carriages drawn by one pony and bullock coaches drawn by two bullocks.

*Fourth Class*.—Vehicles drawn by one bullock and country carts drawn by two bullocks.

4. Any person desirous of registering a carriage as a hackney carriage shall apply to the Superintendent, Residency Bazars, and submit such carriages with its horses, ponies or bullocks, and harness for inspection, and the Superintendent, Residency Bazars, shall register it if he is satisfied—

- (1) that the carriage is in good order and repair in all its parts and is suitable in appearance;
- (2) that it is provided with two good lamps;\*
- (3) that the animals are in good working condition and free from any contagious disease, and (in the case of horses) not less than four years old;
- (4) that the harness is complete and serviceable;

5. The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purpose of these rules.

6. If the owner of a carriage consider that his vehicle has been wrongly classed by the Superintendent, Residency Bazars, he may appeal to the First

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\* Fourth class vehicles will only be required to have one lamp if proper arrangements are made to fix it on the right side of the vehicle.



Assistant Resident, who shall, if necessary, personally inspect the carriage, and whose decision as to its class shall be final.

7. The following fees shall be payable on registration :—

	H. S. Rs.
Special class . . . . .	12
First class . . . . .	10
Second class . . . . .	7
Third class . . . . .	5
Fourth class . . . . .	3

8. Every license shall set forth—

*1st.*—The class and the number assigned to the carriage in the register.

*2nd.*—The name and residence of the owner of the carriage.

*3rd.*—The number and description of animal to be employed in drawing such carriage.

*4th.*—The number of persons and the weight of property the carriage is licensed to carry.

9. The Superintendent, Residency Bazzars, may inspect any carriage registered under these Rules at such time and place as he may appoint after sunrise and before sunset, and may suspend or cancel any license granted whenever it shall appear to him that such carriage or any animal or harness used with such carriage is unfit for public use.

10. The Sanitary Inspector or any Police officer not below the rank of Chief Constable may at any time between sunrise and sunset enter any premises on which licensed vehicles, animals, harness, and other things used therewith are kept in order to carry out any provisions of these rules, and the proprietor or his agent shall afford every facility for inspection. But any complaint founded on such inspection shall be laid for orders before the Superintendent, Residency Bazzars.

11. Whenever any change shall take place in the ownership of a hackney carriage, if the person to whom such carriage shall have been transferred shall desire to use it as a hackney carriage, he shall before so using it give to the Superintendent, Residency Bazzars, notice in writing of such transfer and of his name and place of abode; and the Superintendent, Residency Bazzars, on receipt of such notice shall amend the register and license accordingly without the payment of any fee.

No such person shall before giving such notice as aforesaid use such carriage as a hackney carriage.

12. Whenever the owner of a carriage registered under these Rules shall

change his residence, or shall cease to ply such carriage for hire, he shall give notice thereof in writing to the Superintendent, Residency Bazar.

13. Upon the registration of any carriage, the Superintendent, Residency Bazar, shall <sup>1</sup>[cause to be painted on a conspicuous part of the outside of such carriage] the class and the number of such carriage in the register and the number of persons it is licensed to carry \* \* \*

Provided that in the case of carriages of the special class and the 1st class it shall be lawful for the Superintendent, Residency Bazar, at his discretion to allow such plate to be affixed inside the carriage, and the brass badge mentioned in rule 15 to be carried by the driver otherwise than on his right arm.

14. No carriage shall be let or used for hire without having a proper <sup>1</sup>[painting] as required by the preceding rule.

15. Every driver of a hackney carriage shall receive a license with a serial number to be entered in a separate register kept by the Superintendent, Residency Bazar, and shall wear a brass badge on his right arm bearing the name and the number of his license. A fee of one rupee shall be payable for the grant of a driver's license and badge. Every driver shall produce his license when required by a Magistrate or other person authorized by the rules in this behalf, and no person shall act as a driver who is not in possession of such badge and license. The transfer or lending of badges and licenses is strictly prohibited.

16. The owner of every hackney carriage shall be responsible for the competence and good behaviour of the driver of such carriage, and the Superintendent, Residency Bazar, may suspend or cancel the license of any hackney carriage the driver of which shall appear to him incompetent or unfit, or under 16 years of age.

17. The owner or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage the fares set forth in the schedule annexed to these rules.

18. The owner of every hackney carriage shall keep affixed in a conspicuous position in the inside of such carriage a printed table, to be signed and supplied by the Superintendent, Residency Bazar, showing the number and class of the carriage and the fares which may be demanded and taken for the hire of such carriage. The table should be printed or written in English, Urdu, and Telugu.

19. <sup>1</sup>[If a hackney carriage license, driver's license, driver's badge or fare

<sup>1</sup> See notification No. 85 J., dated the 9th September 1910. *Hyderabad Residency Orders*, 1910, Part I, page 139

table be lost or defaced, the following charges will be made for the issue of a duplicate of such license, badge or table :—

	H. S.		
	Rs.	A.	P.
Hackney carriage license . . . . .	0	8	0
Driver's license . . . . .	0	4	0
Driver's badge . . . . .	0	12	0
Fare table . . . . .	0	8	0

The charge for repainting a number will be H. S. Rs. 2.]

20. Every owner or driver of a hackney carriage shall be bound to let such carriage to any person requiring the same, but such carriage shall not be let to any person suffering from small-pox or other infectious disease, and should it come to the knowledge of any owner or driver that his carriage has been used to carry a patient suffering from such disease, he shall on no account permit it to be again brought into use until it has been thoroughly disinfected under such police or medical arrangements as the Superintendent, Residency Bazars, shall prescribe.

No carriage shall be liable for hire for more than nine hours in one day, or to be taken more than five miles beyond the limits of the Hyderabad Residency Bazars.

21. Every driver of a hackney carriage who shall be drunk during his employment, or make use of insulting or abusive language or gesture, or who shall demand or take more than the proper fare to which he is legally entitled or who shall refuse to admit and carry in his carriage the number of persons specified to be carried in such carriage, or who shall carry more than such number of passengers, or who shall before he has been discharged by the hirer desert from the hiring, shall be liable to the penalty laid down in the Law and in addition to the revocation or suspension of his license.

22. Any driver who cruelly beats, ill-treats, over-drives or otherwise misuses any animal driven in a licensed vehicle shall be liable to the revocation or suspension of his license to drive in addition to any other punishment provided for the offence under any law for the time being in force.

23. The owner of any hackney carriage against the driver of which a complaint has been made under rules 21 and 22 before a Magistrate may be summoned to produce the driver, and shall so produce the driver under penalty of the revocation of his license.

24. Any person using a hackney carriage who shall wilfully injure the same, or who shall maliciously or knowingly deface, destroy, or remove any [table] which shall have been affixed under the provisions of rule 18, shall be liable to the penalty laid down in the Law, and shall also pay to the owner any

<sup>1</sup> See notification No. 86 J., dated the 9th September 1910. *Hyderabad Residency Orders*, 1910, Pt. I, p. 139.

compensation which the Magistrate shall award, and the amount of such compensation shall be recoverable as a fine.

25. Every owner or letter for hire of a hackney carriage shall have affixed in a conspicuous place in front of the premises where the carriage is for hire a board containing a notice in English, Urdu, and Telugu that hackney carriages are for hire upon the premises.

26. Property left in public conveyances must be at once made over to the officer in charge at the nearest Police station to be returned to the owner on payment of all reasonable expenses and of such rewards as the Superintendent, Residency Bazzars, may fix.

27. The Superintendent, Residency Bazzars, may from time to time appoint one or more stands in the Hyderabad Residency Bazzars for carriages registered under these rules; and no driver shall stand or loiter for the purpose of being hired in any other public place than at an appointed stand.

28. Nothing contained in these rules shall prevent any owner of a registered carriage from contracting for the hire of such carriage by the day, or month on such terms as may be arranged between the owner and the hirer.

29. Prosecutions for breach of these rules may be instituted by any passenger, Police Officer, member of the Local Fund Committee, or by the Sanitary Inspector.

#### SCHEDULE A.

Class.	Special.		1st.		2nd.		3rd.		4th.		REMARKS.	
	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.		
Per hour up to five hours . . . . .	1	0	0	12	0	8	0	0	0	4	Rates payable for two passengers or less	
Minimum charges . . . . .	2	8	2	0	1	0	0	12	0	8		
Over five hours up to nine hours . . . . .	6	0	4	8	3	0	2	4	1	8		
Rate of travelling in miles . . . . .	Minimum		6	0	6	0	6	0	4	0		3
	Maximum		8	0	8	0	7	0	5	0	4	0

The following extra fares must be paid for every passenger in addition to the two:—

Class.	Special.		1st.		2nd.		3rd.		4th.	
	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.	Rs.	A.
Per hour up to five hours . . . . .	0	4	0	3	0	2	0	1	0	1
Over five hours up to nine hours . . . . .	1	8	1	2	0	12	0	6	0	6

NOTE.—The time is to be calculated from the hour at which the hirer requires the carriage to the hour when he discharges it.

The minimum rate of speed at which hackney carriages when hired by time shall be driven shall be—

For special class . . . . .	9 miles an hour.
For 1st and 2nd classes . . . . .	6 " "
For 3rd class . . . . .	4½ " "
For 4th class . . . . .	3½ " "

If the hirer requires the carriage to proceed to any place more than five miles beyond the limits of the Hyderabad Residency Bazaars, the fare for such journey shall not be regulated by these rates, but shall be such as may be arranged between the owner and the hirer.

All fares are payable on the discharge of the carriage, unless in the case of cab-proprietors who are willing to keep monthly or other accounts.

### SCHEDULE B.

*Table of fares by distance.* [Not re-printed.]

[*Hyderabad Residency Orders, 1900, Pt. I, p. 77.*]

*No. 7, dated the 2nd February 1892.*—The following rules for the regulation of vaccine operations in the Cantonment of Secunderabad, made by the Resident under section 20 of Act XIII of 1880 as applied to that Cantonment \* \* are published for general information.

The rules will come into force six weeks from the date of the publication of this notification.

1. For the performance of vaccination in accordance with the provisions of Act XIII of 1880, the<sup>2</sup> local area included within the limits of the cantonment of Secunderabad shall be divided into three vaccination circles as follows:—

Circles for the performance of vaccination.

- (a) The Central Circle shall consist of the town of Secunderabad and the localities known as Picquet village, Maredepully, Chilkulgoodum, Bhoygoodum and Bekulgoodum.
- (b) The Trimulgherry Circle shall consist of Trimulgherry Bazar, Amma-goodum, Kakagooda village and Bazar and Gun Rock.
- (c) Bowenpully Circle shall consist of the localities known as Begumpett, Bowenpully, Tarhund, Sikh village, Mud Fort, Karkana village, Russalpore, Tarayapoor, Pedda and China Tokatta and Kudakpoora.]

the Secunderabad rules.

<sup>2</sup> The Aurangabad rules read "Stations of the Hyderabad Contingent shall be divided into the following circles:—Aurangabad.—(1) Sadar Bazar, (2) Cavalry Bazar."

2. The Cantonment Committee shall from time to time appoint a place or places in each vaccination circle as a public vaccine station or stations, and shall cause to

Appointment of vaccine station.  
be affixed on the outside of every such place in a conspicuous position, a sign-board, on which shall be printed, in letters easily legible and in the English, <sup>1</sup>[Telugu] and Urdu characters, <sup>2</sup>[the following inscription :—" SECUNDERABAD CANTONMENT VACCINE STATION No. ."]

3. No person shall be appointed a public vaccinator or a Superintendent of Vaccination unless he has obtained a certi-

Qualification of public vaccinators and of Superintendents of Vaccination.  
ficate from the <sup>3</sup>[Staff Surgeon of the station or other competent authority] that he is duly qualified to perform vaccination as prescribed by Act XIII of 1880.

4. The appointment, suspension and dismissal of Superintendents and public vaccinators employed within the limits

Authority to appoint, suspend and dismiss public vaccinators.  
of the Cantonment shall rest with the <sup>4</sup>[Staff Surgeon, subject to the approval of the Cantonment Committee.]

5. The vaccination season shall be the whole year with the exception of April and May.

6. During the vaccination season public vaccinators shall attend at the vaccine station to which they may be attached by the <sup>5</sup>[Staff Surgeon on the days and hours mentioned below, viz.—

At Secunderabad Cantonment vaccine station No 1, daily excepting Sundays between the hours of 7 A.M. and 12 noon.

At Secunderabad Cantonment vaccine station No. 2, on Mondays, Wednesdays and Fridays between 7 A.M. and 11 A.M.

At Secunderabad Cantonment vaccine station No. 3, on Tuesdays, Thursdays and Saturdays, between the hours of 7 and 11 A.M.]

7. The distinguishing badge of a public vaccinator shall be a red cross on a white ground and shall be worn on the breast.

Distinguishing badge to be worn by public vaccinators.

<sup>1</sup> and <sup>2</sup>. The Aurangabad rules read "Marathi" and "an inscription giving the name of the Hyderabad Contingent Station and the number of the vaccine station.

<sup>3</sup> and <sup>4</sup>. The Aurangabad rules read "Principal Medical Officer of the Hyderabad Contingent, subject to the approval of

of the Station on the days (except-

8. Persons licensed by the Local Government to act as private vaccinators shall in no case demand a higher fee than one rupee for a single operation, and shall perform their duties under the orders and subject to the general control of the 1[Garrison Surgeon].

*Fee chargeable by private vaccinators and the authority to which they are subject in the performance of their duties.*

9. Persons desirous of procuring the vaccination of their children at their own houses may apply for that purpose to the Superintendent of Vaccination of their circle who shall thereupon depute an authorized vaccinator to comply with the request.

*Facilities for procuring vaccination of children at private houses.*

10. Whenever it is ascertained that a child is unfit for vaccination or is unsusceptible of successful vaccination, a certificate in the form A attached to these rules shall be granted in the former case to the parent or guardian of such child by the vaccinator, and in the latter in the form B by the 2[Superintendent of Vaccination] by whom such child was examined. In like manner, whenever it is ascertained that a child has been successfully vaccinated, a certificate shall be granted by the vaccinator to the parent or guardian of such child in the form C attached to these rules.

*Grant and form of certificates of successful vaccination, unfitness for or of unsusceptibility of vaccination.*

11. The lymph to be used shall be animal lymph of the best quality, 3[fresh or preserved in accordance with Dr. King's (Madras) process.]

*Natures of lymph to be used.*

12. A fee of 8 annas shall be payable to a public vaccinator who vaccinates a child at the request of the parent or guardian elsewhere than in the circle to which such vaccinator is appointed.

*Fee payable to public vaccinators for vaccinating a child outside his circle.*

*Registers to be kept up by the Cantonment Committee.*

13. The following registers shall be kept up by the Cantonment Committee :—

(a) A register showing the names of children born within the local area subject to these rules on and after the date of the application of Act XIII of 1880 to such area.

(b) A register showing the names of unprotected children born in the area aforesaid previous to the date of the application of Act XIII of 1880, and who were at that date under the age of 14 years if boys, and of 8 years if girls.

<sup>1</sup> and <sup>2</sup>. The Aurangabad rules read "Senior Medical Officer of the Station" and "Senior Medical Officer."

<sup>3</sup> Omitted in the Aurangabad rules.

(c) A register showing the names of the unprotected boys and girls respectively under these ages brought within the local area aforesaid at any time after the application of Act XIII of 1880 and who had resided there for a month.

(d) A register showing the result of each vaccination or its postponement and the delivery of certificate, if any.

14. The preparation of register (a) shall be effected from the register of births maintained in the Cantonment Committee office; of register (b) from information to be collected under the orders of the Secretary, Cantonment Committee, by the Registrar of Births; of register (c) from the information to be collected by the Registrar of Births from the aforesaid register; and of register (d) from the reports submitted by vaccinators for their respective circles as hereinafter prescribed.

15. Every public and private vaccinator employed within the local area to which these rules apply shall keep up the following registers, namely:—  
Registers to be kept up by vaccinators.

Register A showing—

- (1) Name, sex, age, parentage, caste, and residence of each child vaccinated.
- (2) Date of vaccination.
- (3) Date of inspection of the vaccination.
- (4) Results, whether successful or unsuccessful.
- (5) Date of re-vaccination.
- (6) Date of inspection after re-vaccination.
- (7) Result, whether successful or unsuccessful

Register B showing—

- (1) Name, sex, age, parentage, caste, and residence of each child produced but found unfit for vaccination.
- (2) Date of certificate of postponement granted under section 9 of Act XIII of 1880.
- (3) Date on which the child was re-presented for vaccination and the result of inspection.
- (4) Date of renewal and postponement certificate if any.
- (5) Remarks.

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16. Every public or private vaccinator shall prepare a monthly report during the vaccination season on the general result of the vaccine operations during that period, and shall submit the same through the <sup>1</sup>[Civil Surgeon] to the Secretary to the Cantonment Committee accompanied by a return showing—

- (1) Number of boys vaccinated during the month.
- (2) Number of girls vaccinated during the month.
- (3) Results.

- (a) Number successful.
- (b) Number unsuccessful.
- (c) Number unsusceptible.

#### FORM A.

### <sup>2</sup>[SECUNDERABAD] CANTONMENT COMMITTEE.

#### VACCINATION STATION No. .

#### *Certificate of Unfitness for Vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator do hereby certify that in my opinion (name of child, the son or daughter as the case may be) of \_\_\_\_\_ resident of \_\_\_\_\_ is in a state unfit for vaccination, and that such unfitness will continue during (the whole or if a part specify the same), the current vaccination season.

(Signed)

*Vaccinator.*

*Dated*

#### FORM B.

#### *Certificate of Unsusceptibility of Successful Vaccination.*

I, \_\_\_\_\_, a Superintendent of Vaccination, do hereby certify that \_\_\_\_\_ the son (or daughter as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_, has been three times unsuccessfully vaccinated, and that in my opinion he (or she as the case may be) is unsusceptible of successful vaccination.

(Signed)

*Superintendent of Vaccination.*

*Dated*

<sup>1</sup> and <sup>2</sup>. The Aurangabad rules read "Senior Medical Officer of the Station" and "Aurangabad."

## FORM C.

*Certificate of Successful Vaccination.*

I, \_\_\_\_\_, a public (or licensed as the case may be) vaccinator, do hereby certify that (name of child), the son (or daughter as the case may be) of \_\_\_\_\_ resident of \_\_\_\_\_, was vaccinated by me on the day of \_\_\_\_\_ in the year \_\_\_\_\_ and that, after due inspection, I am satisfied that the vaccination has been successful.

(Signed)

*Vaccinator.**Dated**[Hyderabad Residency Orders, 1899, Pt. I, p. 41.]*

*No. 44, dated the 14th September 1906.*—The following revised rules for <sup>Rules for the ra</sup> the regulation of vaccine operations in the railway lands in the territories of <sup>lands.</sup> His Highness the Nizam of Hyderabad \* \* made by the Resident under section 20 of the Vaccination Act, 1880 (XIII of 1880), as applied to those lands \* \* are published for general information.

The rules will come into force six weeks from the date of the publication of this notification \* \* \* \* \*

1. For the performance of vaccination in accordance with the provisions of Circulars for the performance of the Act, the local area included within the vaccination. \_\_\_\_\_ limits of the said railway lands shall be divided into vaccination circles as follows :

- (a) The lands occupied by the Great Indian Peninsula Railway.
- (b) The lands occupied by the Madras Railway.
- (c) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Wadi to Secunderabad.
- (d) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Secunderabad to Kazipet.
- (e) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Kazipet to the frontier of the Hyderabad State and Yellandu.
- (f) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Secunderabad to Nizamabad.
- (g) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Nizamabad to Purna.

- (h) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Purna to Jalna.
- (i) The lands occupied by His Highness the Nizam's Guaranteed State Railways from Jalna to the frontier of the Hyderabad State.

2. The Principal Medical Officer of the Nizam's Guaranteed State Railways shall be the Superintendent of Vaccination, and he shall be at liberty to appoint to be vaccinators all apothecaries and hospital assistants of the Company, and any compounders and other persons whom he thinks qualified for the purpose.

3. The Superintendent of Vaccination shall be responsible for the proper enforcement of the provisions of the Vaccination Act (XIII of 1880), as applied and these rules, and he may issue such orders as he may deem necessary for the guidance of vaccinators.

4. Persons desirous of procuring the vaccination of their children at their own houses may apply for that purpose to the Superintendent of Vaccination, who shall thereupon depute a vaccinator to comply with the request.

5. Whenever it is ascertained that a child is unfit for vaccination or is unsuceptible of successful vaccination, a certificate in the Form A, attached to these rules, shall be granted, in the former case to the parent or guardian of such child by the vaccinator, and in the latter in the Form B by the Superintendent of Vaccination after such child has been examined by him. In like manner, whenever it is ascertained that a child has been successfully vaccinated, a certificate shall be granted by the vaccinator to the parent or guardian of such child in the Form C, attached to these rules.

6. The lymph to be used shall be animal lymph of the best quality.

7. Every vaccinator employed within the local area to which these rules apply shall keep up the following registers, namely :—

Register to be kept up by vaccinators.

Register A showing—

- (1) Name, sex, age, parentage, caste, and residence of each child vaccinated.
- (2) Date of vaccination.
- (3) Date of inspection of the vaccination.
- (4) Result, whether successful or unsuccessful.

- (5) Date of re-vaccination.
- (6) Date of inspection after re-vaccination.
- (7) Result, whether successful or unsuccessful.

Register B showing—

- (1) Name, sex, age, parentage, caste, and residence of each child produced, but found unfit for vaccination.
- (2) Date of certificate of postponement granted under section 9 of Act XIII of 1880.
- (3) Date on which the child was re-presented for vaccination and the result of inspection.
- (4) Date of renewal of postponement certificate, if any.
- (5) Remarks.

*N.B.*—If on the child being re-presented for vaccination it is found to be in a fit state for that operation, the fact should be recorded in column 3 of Register B, and an entry of the fact of vaccination when performed should be made in Register A, a reference to such entry being made in the column of remarks of Register B opposite the corresponding entry in the latter.

8. Every vaccinator shall prepare a monthly report on the general result of the vaccine operations during that period, and shall submit the same to the Principal Medical Officer for Railways accompanied by a return showing:—

- (1) Number of boys vaccinated during the month.
- (2) Number of girls vaccinated during the month.
- (3) Results—

- (a) Number successful.
- (b) Number unsuccessful
- (c) Number unsusceptible.

9. The District Magistrate may call for these reports and returns whenever necessary, and his requisitions for these shall be complied with.

#### Form A.

##### *Certificate of unfitness for vaccination.*

I, \_\_\_\_\_, vaccinator, do hereby certify that in my opinion (*name of child*), the son (*or daughter, as the case may be*) of \_\_\_\_\_ resident of \_\_\_\_\_, is in a state unfit for vaccination and that such unfitness will continue up to the \_\_\_\_\_ day of \_\_\_\_\_ (month).

(Signed)

*Vaccinator.*

*Dated*

## FORM B.

*Certificate of unsusceptibility of successful vaccination.*

I, \_\_\_\_\_, the Superintendent of Vaccination, do hereby certify that \_\_\_\_\_, the son (or daughter, as the case may be) of \_\_\_\_\_, resident of \_\_\_\_\_, has been three times unsuccessfully vaccinated, and that in my opinion he (or she, as the case may be) is unsusceptible of successful vaccination.

(Signed)

*Superintendent of Vaccination.**Dated*

## FORM C.

*Certificate of successful vaccination.*

I, \_\_\_\_\_, a vaccinator, do hereby certify that (name of child), the son (or daughter, as the case may be) of \_\_\_\_\_ resident of \_\_\_\_\_, was vaccinated by me on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, and that, after due inspection, I am satisfied that the vaccination has been successful.

(Signed)

*Vaccinator.**Dated**[Hyderabad Residency Orders, 1906, Pt. I, p. 91.]*

No. 51, dated the 25th July 1899.— \* \* In exercise of the power conferred by section 2 of the Probate and Administration Act, V of 1881, as applied to the Hyderabad Assigned Districts, the Hyderabad Residency Bazars, the Cantonment of Secunderabad, the Hyderabad Contingent Station of Aurangabad \* \* and the railway lands<sup>1</sup> in the territories of His Highness the Nizam of Hyderabad \* \* the Resident is pleased to authorize the <sup>2</sup>Judicial Commissioner of the Hyderabad Assigned Districts throughout the aforesaid areas, \* \* and the <sup>3</sup>Assistant Cantonment

<sup>1</sup> Includes the railway lands in Ikmar.

<sup>2</sup> The Court of the Judicial Commissioner has been superseded by that of the Resident in the Administered Areas, see notification No. 532-I.B., dated the 4th February 1904 Printed Vol. I, p. 252.

<sup>3</sup> Now the "Civil and Small Cause Court Judge at Secunderabad." See notification No. 3823-I, B., dated the 1st October 1908 *Gazette of India*, 1908, Pt. I, p. 657.

Magistrate, Secunderabad, throughout the areas comprising the Hyderabad Residency Bazars, the Cantonment of Secunderabad \* \* and the said railway lands, excepting those in the Hyderabad Assigned Districts, to receive applications for probate and letters of administration.

[*Hyderabad Residency Orders*, 1899, Pt. I, p. 251.]

Indian Factories /  
1881.

*No. 81, dated the 22nd December 1899.*—Under the provisions of section 5 of the Indian Factories Act, 1881 (XV of 1881), as applied to the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident at Hyderabad is pleased to appoint the officer in medical charge of the Civil Hospital, Secunderabad Cantonment, as the certifying Surgeon under the Act for the said railway lands. Appointment of  
certifying Surgeon  
for the railway lands

[*Hyderabad Residency Orders*, 1900, Part I, page 3.]

*No. 3610-I.A., dated the 8th December 1899.*—In exercise of the power conferred by section 5 of the Indian Factories Act, 1881 (XV of 1881), as applied to the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Governor-General in Council is pleased to prescribe a fee of four annas as the fee payable to a certifying Surgeon by a person employed, or desirous of being employed, in a factory within the said lands for examining him and granting him a certificate in accordance with the provisions of that section. Fee of certifying  
Surgeon.

[*Gazette of India*, 1899, Pt I, p 1056.]

*No. 20, dated the 20th March 1900*—In exercise of the powers conferred by sections 3, 9 and 13 and sub-section (1) of section 18 of the Indian Factories Act (XV of 1881), as amended by Act XI of 1891, and applied to the Railway lands in the territories of His Highness the Nizam of Hyderabad \* \* the Resident at Hyderabad is pleased to make the following rules and orders:— Hyderabad Railway  
Lands Factories  
Rules.

1. These rules and orders may be cited as “The Hyderabad Railway  
Short title.                      Lands Factories Rules of 1900.”

In these rules and orders “The Act” means the Act aforesaid amended  
Interpretation.                      as aforesaid.

2. Inspectors appointed under the Act, other than the Magistrate of the district, shall be officially subordinate to the  
Appointment of Inspectors                      Magistrate of the district in respect to  
factories situated in these lands.

3. A register in Form A appended to these rules shall be kept of all factories. If an Inspector is appointed, he shall keep such register and furnish a copy of it to the District Magistrate for Railways.

Register of factories.

If an Inspector is not appointed, the District Magistrate shall keep such register for the factories within his jurisdiction.

4. When an Inspector has reason to believe that any premises situated within the local limits for which he is appointed and not already registered as a factory ought to be shown in his register as such, or that any person within the local limits for which he is appointed has omitted to give the notice required under section 11 of the Act, he shall send through the post under registered cover to the occupier of the premises a notice intimating his intention of placing such premises on his register of factories. When such notice is issued by an Inspector other than the District Magistrate, a copy of the notice shall be sent to the latter for his information.

5. Every person served with a notice under rule 4 shall be allowed fifteen days from the date of service, within which time he may make any objection that he has to offer against the proposal to place his premises on the register of factories.

Notice of placing factory premises in the register.

6. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the District Magistrate, who shall, if satisfied that the Act is no longer applicable to such premises, cause them to be removed from the register of factories.

7. Every factory may be inspected by the District Magistrate or other Inspector appointed under section 3 as often as he thinks fit, and shall be inspected at least twice in each calendar year. For the purpose of verifying the register kept as prescribed by rule 12, the Inspector shall examine the children employed in the factory during their working hours only: but for the purpose of satisfying himself that the said children are allowed the lawfully prescribed intervals for food and rest, he may examine the children and the said registers during any such interval.

Removal of premises from the register of factories.

Inspection of factories

8. The Inspector shall keep a register of his inspections in the Form B appended, in which he shall record all orders and remarks made by him on each occasion of his inspection, and shall state whether the remarks and orders given at previous inspections have been complied with and fulfilled. In the event of

Register of inspections.

an order being passed, he shall fix a reasonable time within which it shall be complied with. A copy of such order shall be furnished to the occupier of the factory, and a copy of the orders and remarks, if made by an Inspector not being the District Magistrate, shall also be sent to the District Magistrate for information.

9. The occupier of the factory shall, if required by the Inspector, bring before him on the occasion of any inspection all children employed in the factory and any other persons in the service of such occupier whom the Inspector may wish to see; also all registers, certificates and notices required by the Act or any rules made thereunder to be kept in the factory.

10. A register of accidents shall be maintained by the Inspector in the appended Form C.

11. Certificates granted by the Civil Surgeon under section 5 shall be in the appended Form D.

12. Registers of the children employed in the factory shall be kept by the occupier of a factory in the Forms E and F attached to these rules, and the certificates granted by the certifying Surgeon shall be filed and kept as an appendix to these registers.

No such register or certificates shall be removed from the factory or destroyed without the written permission of an Inspector empowered in that behalf or by the District Magistrate.

13. Every occupier of a factory shall on every day on which work is carried on in the factory he occupies have available at the said factory for the use of the persons employed therein, free of cost to them, a water supply consisting of at least twice as many gallons of water as there are persons employed in the factory. Of the whole supply at least as many gallons as there are persons employed in the factory shall be fit for drinking purposes, and the remainder shall be fit for purposes of washing.

14. In order to determine whether the water-supply provided in any factory under rule 13 is fit for the purposes therein mentioned, the Inspector may take, free of cost, such samples of it as he may from time to time require for analysis.

15. Every factory shall be ventilated to the satisfaction of the Inspector. To prevent overcrowding the minimum place to be provided for each person employed in any room of a factory shall be a floor area of 36 superficial feet and a breathing



area of 500 cubic feet. No factory shall be considered ventilated unless ventilating openings are provided in the proportion of 10 square feet for each person employed in any room and the openings are such as to admit of a continued supply of fresh air: Provided that it shall be in the discretion of the Inspector to waive the rule as to the measurement of the ventilating openings when he is satisfied that the ventilation is good and the enforcement of the exact measurement of 10 feet for each person would be an unnecessary hardship. The reason for waiving the rule shall, however, be recorded in writing.

16. If in a factory where any process is carried on by which dust is generated and caused to be inhaled by the persons employed in such factory to an injurious extent, and it appears to the Inspector that such inhalation might be wholly or to a great extent prevented, he may direct the occupier of such factory to adopt measures for preventing as far as possible such inhalation.

17. All the inside walls of the rooms of every factory and all the ceilings or tops of such rooms, whether such walls, ceilings or tops be plastered or not, and all the passages and staircases of every factory if they have not been painted with oil or varnished once at least within seven years, shall be limewashed by the occupier of the factory once at least within every fourteen months to date from the period when last limewashed, and, if they have been so painted or varnished, shall be washed by the said occupier with soap and hot water at least once every fourteen months.

18. Where it appears to the Resident that the enforcement of the provisions of rule 17 is not necessary for insuring the cleanliness of any class of factories or parts thereof, or that the said provisions are by reason of special circumstances inapplicable to any class of factories or to parts thereof, he may by notification in the Hyderabad Residency Orders exempt such class of factories or parts thereof from the said provisions.

19. Every factory shall be kept by the occupier thereof in as cleanly a state as is compatible with the nature of the work carried on therein, and free from effluvia arising from any drain, privy, or other nuisance.

20. Every factory shall be provided by the occupier thereof with a latrine and urinal accommodation for its operatives, and in such manner that the accommodation for females shall be apart and screened from the divisions for males. The divisions for females shall be marked in the vernacular in conspicuous letters

"For females only." Those for males shall be similarly marked "For men only." Apart from the urinal accommodation; latrines shall be provided with seats in the proportion of one to every fifty or fraction of fifty operatives employed.

21. Every order passed by an Inspector under rule 16 or under section 12(c) of the Act shall be recorded by him in writing, and a copy thereof signed by the Inspector shall be delivered by him to the occupier of the factory to which the order relates, or, in his absence from the factory, to his principal agent or manager in charge of the factory. The Inspector shall state clearly in the order what is required to be done, and shall specify a reasonable time within which effect shall be given to his requisition, and shall further give notice that if within the time so specified effect is not given to the said requisition, the person responsible for the neglect will be prosecuted under section 15 of the Act.

22. Every order passed by the Inspector under section 4(c) of the Act shall be in writing, and a copy thereof signed by the Inspector shall be delivered by him to the occupier of the factory, or, in his absence from the factory, to his principal agent or manager in charge of the factory.

23. Any occupier of a factory on whom or on whose agent or manager an Inspector serves an order under rule 16 or section 12(c) of the Act may, within seven days after receipt of such order, appeal to the District Magistrate, or, if the District Magistrate is himself the Inspector, to the First Assistant Resident. No second appeal shall lie from an order passed on appeal, but the Resident may review any order made by an Inspector under rule 16 or section 12(c) of the Act, or any order passed on appeal from any such order, and may pass any order thereon which he may think proper.

24. Every appeal preferred under rule 23 shall be made in writing in the form of a memorandum of appeal briefly setting forth the reasons on which such appeal is based, and bearing a court-fee stamp in accordance with article 11, schedule 2, of the Court Fees Act as applied to the said Railway lands.

25. Every such appeal shall be heard at as early a date as may be convenient, due notice of which shall be given to the appellant and to the Inspector, whose order is appealed against. The appellate authority shall make, or cause to be made, in such manner as he may see fit, such enquiry, if any, as shall appear to him to be necessary to enable him to decide the appeal.

26. If an order of an Inspector under rule 16 or section 12(c) of the Act is set aside or altered in appeal or by the Resident on review, the Inspector shall as early as possible deliver to the person concerned an intimation of the result of the appeal or review, and such amended orders, if any, as the decision of the appellate authority or of the Resident renders necessary.

27. At the end of each half-year the Inspector shall forward to the First Assistant Resident, through the District Magistrate for Railways, a full report of the results of each inspection made by him during the half-year and of his examination of the premises and machinery and of the registers of the children employed, together with a statement of all orders passed by him under sections 4(c) and 12(c) of the Act and No. 16 of these rules, and of all prosecutions instituted by him or with his sanction under section 15 of the Act and their result.

28. Notices of accidents shall be sent as required by section 13 of the Act to the following authorities, *viz.* :—

- (a) to the District Magistrate;
- (b) to the officer in charge of the nearest police station or outpost;
- (c) to the local Inspector of Factories other than a District Magistrate.

Such notice shall be in the Form G hereto appended, and shall be sent—

- (1) within one hour of the accident, if death has been caused, or is known to be likely to be caused, or if a limb is broken; and
- (2) in any other case, within twelve hours of the time when it is known that the injuries caused are such as to require the sending of a notice under section 13 of the Act.

#### FORMS.

- (1) Register of Factories required by Rule 3, Form A.
- (2) Register of Inspection required by Rule 8, Form B.
- (3) Register of Accidents required by Rule 10, Form C.
- (4) Certificates of certifying Surgeon (*vide* Rule 11), Form D.
- (5) Registers of children employed in Factories required by Rule 12, Forms E and F.
- (6) Notice of Accidents (*vide* Rule 28), Form G.

## FORM A.

(Under Rule 3 of the Rules made under sections 3, 9, 13 and 18 of the Indian Factories Act, 1881.)

N.B.—This register should be re-written at the commencement of each calendar year.

## Register of Factories

\_\_\_\_\_ District.

Serial No.	Town	Name and situation of factory, with name of occupier.	Nature of industry.	Machines, power, with number of looms and spindles, or both	Average daily number of workmen employed.				Reported and actual capacity of working sheds, with number of work people ordinarily engaged in each room	Whether the factory is worked by shifts or stoppages.	Whether there is a general holiday on Sunday or a holiday on varying week days.	Whether machinery is licensed— (a) completely; (b) partially.
					Adult		Children.					
					Male	Female	Male	Female				

(Under Rule 8 of the Rules made under sections 3, 9, 13 and 18 of the Indian Factories Act, 1881.)

## Register of Inspections of Factories.

\_\_\_\_\_ Districts.

No. of Factory in Register A.	Name or description of Factory.	Name of occupier.	Date of inspection.	Number of persons at work on Date of inspection.			
				Adults.		Children.	
				Men.	Women.	Male.	Female.

## Remarks and Orders.

SECTION I.—Concerning degree of compliance with remarks and orders issued at previous inspection or inspections.

SECTION II.—Concerning present inspection.

## FORM C.

(Under Rule 10 of the Rules made under sections 8, 9, 13 and 18 of the Indian Factories Act, 1881.)

## Register of Accidents.

Serial No.	Name of Factory and nature of industry.	Number of accidents—(a) fatal; (b) serious.	Whether accident was due to imperfect fencing of machinery or not.

No.

FORM D.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 190 . }  
 Name of person examined }  
 Son of }  
 Daughter of }  
 Residing at }  
 Name and locality of factory at which }  
 to be employed }  
 Age certified }

(Under Rule 11 of the Rules made under sections 8, 9, 13 and 18 of the Indian Factories Act, 1881.)

Certificate under section 5 of the Indian Factories Act, 1881.

No. }  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 190 . }

I hereby certify that I have this day examined

Name  
 Son of  
 Daughter of  
 Residing at

who is — employed — in the —  
 desirous of being employed. (state name and locality of factory). And  
 I consider him to be above 9 or 14,  
her below 9 or 14  
 i.e., about \_\_\_\_\_ years of age.

(Signed)

(Signed)

Certifying Civil Surgeon.

Certifying Civil Surgeon.

## FORM E.

(Under Rule 12 of the Rules made under sections 3, 9, 13 and 18 of the Indian Factories Act, 1881.)

Factory Register of Children admitted to employment in

Name and locality of factory

1	2	3	4	5	6	7	8	9
Serial No.	Name of Child	Sex.	Name of parents or guardian	Parents' residence.	Age on admission as given by parent, or certified by certifying Surgeon.	Nature of employment.	Date of first admission.	Name of certifying Surgeon (if any), and number and date of his certificate.

## FORM F.

(Under Rule 12 of the Rules made under sections 3, 9, 13 and 18 of the Indian Factories Act, 1881.)

Monthly Muster Register for Children.

Name of factory

Department

1	2	3	4	5	6	7																															8	9	10	11
Serial No.	Name of child.	Sex.	Age.	No. of certificates of certifying Surgeon (if any).	Occupation.	Day and hours worked.																															Total days lost on wages per month.	Amount earned.	Remarks.	
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31				

Hours should be given for each child for each day.

## FORM G.

(Under Rule 25 of the Rules made under sections 3, 9, 13 and 18 of the Indian Factories Act, 1881.)

Form of Notice of Accident occurring in a Factory.

To

SIR,

I beg hereby to give notice, under section 13 of the Indian Factories Act, that an accident occurred in the factory of \_\_\_\_\_ at \_\_\_\_\_ o'clock this day, causing \_\_\_\_\_ to the persons mentioned below :—

NAME.	Caste.	Sex.	Age.	Nature of Injury.

2. The accident was caused by

3. The injured persons are under treatment by \_\_\_\_\_ (or have been removed to the hospital).

I have, etc.,

*Manager.*

Dated \_\_\_\_\_

[Hyderabad Residency Orders, 1900, Pt. I, p. 81.]

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No. 4416-I. B., dated the 25th September 1903.—In exercise of the powers conferred by sub-section (2) of section 18 of the Indian Factories Act, 1881 (XV of 1881), as amended by the Indian Factories Act, 1891 (XI of 1891), and applied to the Hyderabad Assigned Districts and to the railway lands in

the territories of His Highness the Nizam of Hyderabad \* \* \*

the Governor-General in Council is pleased to make the following rule :

Every occupier of a factory shall furnish to the Magistrate of the District the undermentioned returns :—

I. On or before the 15th January of each year an annual return in the following form :—

Name and situation of factory.	Name of owner or occupier.	Name of manager.	Nature of industry.	Nature and amount of moving power.	AVERAGE DAILY NUMBER OF OPERATIVES EMPLOYED.				Whether the factory is worked by shifts or stoppages and, in the latter case, the hour and extent of daily stoppage.	Whether there is a general holiday on Sunday or on varying week days, or whether the factory has been exempted from the rule as to Sunday labour under section 5-B (1), clause (c) of the Act	REMARKS.
					Adults		Children				
					Male.	Female.	Male.	Female			

N. B.—The average daily number of children is to be taken from the register of children kept in the Factory.

II. A return in the following form regarding measurements and space :—

Name and situation of factory.	NAME OF OCCUPIER.	Measurements and cubical contents of each room in the factory.	Area of the floor-space of any room shown in the preceding column occupied by machinery or other fixtures.	REMARKS.

This return shall be submitted for every factory when it is first registered under the Act, and thereafter, whenever any alteration is made in the factory which affects the measurements and cubical contents of any room or the area of the floor-space in any room occupied by machinery or other fixtures.



III. Before the end of each calendar month, a return giving notice of all the days on which the factory will be closed during the ensuing month. This return must be submitted whether the factory is or is not working during the calendar month preceding the one to which the return relates.

[*Gazette of India*, 1903, Pt. I, p. 863.]

No. 1825-I.B., dated the 17th September 1909.—In exercise of the power conferred by section 138 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as applied to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, by the notification of the Government of India in the Foreign Department, <sup>1</sup>No. 1824-I.B., dated the 17th September, 1909, the Governor-General in Council is pleased to appoint, in virtue of their respective offices, the Officers mentioned below to be Notaries Public under the Act and to exercise their functions, respectively, within the areas specified against their names:—

Officer	Area.
The Superintendent of the Hyderabad Residency Bazars	The Residency Bazars at Hyderabad.
The Cantonment Magistrate of Secunderabad . . .	The Cantonment of Secunderabad.

[*Gazette of India*, 1909, Pt. I, page 942.]

No. 1826-I.B., dated the 17th September 1909.—In exercise of the power conferred by section 139 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as applied to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, by the notification of the Government of India in the Foreign Department, <sup>1</sup>No. 1824-I.B., dated the 17th September 1909, the Governor-General in Council is pleased to direct that the rules published in the notification of the Government of India in the Home Department, <sup>2</sup>No. 1433, dated the 30th September 1886, shall apply to the aforesaid areas in so far as they may be applicable.

Provided that references to the Local Government shall be read as referring to the Resident at Hyderabad, references to British India or to a Presidency or Province thereof, as referring to the aforesaid areas, and references to the District Judge as referring to the First Assistant Resident.

[*Gazette of India*, 1909, Pt. I, p. 942.]

<sup>1</sup> See now notification No. 582-I. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> *Gazette of India*, 1886, Pt. I, p. 543.

<sup>1</sup> No. 92-J., dated the 23rd September 1910.—Not reprinted <sup>2</sup>.

[Hyderabad Residency Orders, 1910, Pt. I, p. 146].

Indian Explosives Act, 1884.  
Rules to regulate the transport of explosives in Secunderabad and Aurangabad.

<sup>1</sup> No. 93-J., dated the 23rd September 1910.—Not reprinted <sup>2</sup>.

[Hyderabad Residency Orders, 1910, Pt. I, p. 161.]

<sup>2</sup> Rules to regulate the manufacture, possession and sale of explosives in Secunderabad and Aurangabad.

#### No. 40.

Page 57. Delete the entries relating to notifications Nos. 92-J., and 93-J., dated the 23rd September 1910.

applied to the Hyderabad Assigned Districts and the Cantonment of Secunderabad \* \* the Governor-General in Council is pleased to declare that the following substances shall be deemed to be explosives within the meaning of the said Act :—

and in admixture with atmospheric air or oxygen gas declared to be explosives, and manufacture, possession and importation of the latter prohibited in Secunderabad and Aurangabad.

(1) Picric acid, subject to the following exceptions :—

(a) Picric acid when wholly in solution shall not be deemed an explosive ;

(b) Picric acid which is being manufactured or stored in a factory, building or place exclusively appropriated to the manufacture or storage of picric acid, and in such manner as effectually to prevent any picric acid from coming into contact (whether under the action of fire or otherwise) with any basic metallic oxide or oxidising agent or other substance capable of forming with picric acid an explosive mixture or explosive compound, or with any detonator or other article capable of exploding picric acid, or with any fire or light capable of igniting picric acid, shall not be deemed an explosive.

(2) Picrates and mixtures of picric acid with any basic metallic oxide or any oxidising agent, or with any other substance capable of forming

<sup>1</sup> As amended by notification No 68-J., dated the 14th October 1911. Hyderabad Residency Orders, 1911, Pt I, p 194.

<sup>2</sup> These rules are under revision, see the draft consolidated notification published in the Hyderabad Residency Orders, 1912, Pt I, p 151.

<sup>3</sup> Notification No 2, dated the 9th January 1902 (Hyderabad Residency Orders, 1902, Part I, page 14) which defines the powers of Inspectors of Explosives was superseded by Rule 32 of these Rules, though it was not formally cancelled by them

with picric acid an explosive mixture or an explosive compound (for whatever purpose used or manufactured), shall not be deemed explosives unless such picrates or mixtures be wholly in solution.

(3) \* \* \* 1

(4) Acetylene when in admixture with atmospheric air or with oxygen gas in whatever proportion and at whatever pressure, and whether or not in admixture with other substances.

II. In exercise of the power conferred by section 6 of the said Act, the Governor-General in Council is pleased to prohibit the manufacture, possession, or importation of such acetylene as is declared by paragraph I of this notification to be an explosive :

Provided that nothing in this prohibition shall apply to acetylene in admixture with air when such admixture takes place only in a burner or contrivance in which the mixture is intended to be burnt ;

Provided, also, that nothing in this prohibition shall be held to apply to an admixture of acetylene and air which may unavoidably occur in the first use or re-charging of an apparatus properly designed and constructed with a view to the production of pure acetylene.

[Gazette of India, 1910, Pt. I, p. 175.]

No. 1195-S, dated the 10th February 1912.—In exercise of the powers conferred by section 17 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Cantonments of Secunderabad and Aurangabad, the Governor-General in Council is pleased hereby to declare that acetylene when liquid or when subject to a pressure greater than  $1\frac{1}{2}$  atmospheres shall be deemed to be an explosive within the meaning of the said Act :

Provided that, subject to the conditions hereinafter specified, acetylene, when in admixture with oil-gas, shall not be deemed to be an explosive within the meaning of the said Act when under compression—

(1) The acetylene shall be generated only by the Atkin's Dry Process.

(2) The proportion of acetylene shall not exceed 50 parts by volume in every one hundred parts of the mixture of acetylene and oil-gas.

(3) The acetylene and oil-gas shall be mixed together in a chamber or vessel before the gases are subjected to compression.

- (4) The mixture shall not be compressed to a pressure exceeding one hundred and fifty pounds per square inch.

Provided also that, subject to the conditions hereinafter specified, acetylene, when compressed into porous substances, with or without acetone, shall not be deemed to be an explosive within the meaning of the said Act.

- (1) The porous substance shall fill, as completely as possible, the cylinder or other vessel into which the acetylene is compressed.
- (2) The porosity of the substance shall not exceed eighty per cent.
- (3) Due precaution shall be taken to exclude air from every part of the apparatus before the acetylene is compressed.
- (4) Due precaution shall be taken to prevent undue rise of temperature in compressing the acetylene.
- (5) The pressure shall not exceed one hundred and fifty pounds to the square inch.
- (6) Every cylinder or other vessel into which acetylene is to be compressed shall be tested by hydraulic pressure of not less than double the pressure to which the vessel is to be submitted in use, such hydraulic pressure being maintained for a period of not less than ten minutes.
- (7) The compression pump shall be surrounded by rope mantlets and no reservoir shall be used during compression unless it is also filled with the porous substance.
- (8) In the case where acetone is used for absorbing the acetylene, due precaution shall be taken that the quantity of acetone is such that when fully charged with acetylene it does not completely fill the porosity of the porous substance.
- (9) The compression of the acetylene shall be carried out only on such premises as shall have been approved by an Inspector of Explosives.
- (10) Every cylinder or other vessel in which acetylene has been compressed in virtue of this notification shall be legibly marked with the words

"Acetylene compressed into porous substance exempted by Government of India, Department of Commerce and Industry, notification No. 1195-S, dated the 10th February 1912" together with the name of the firm by whom the vessel has been charged.

- (11) Every facility shall be given to the Inspectors of Explosives to inspect the apparatus and methods by which the cylinders or other vessels are charged in virtue of this notification.

Page 60. After notification No. 1195-8, dated the 10th February 1912 insert the following:—

No. 67-J., dated the 28th August 1914.—In the exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act, 1884 (IV of 1884), as applied to the Cantonments of Secunderabad and Aurangabad and the Hyderabad Residency Bazars, the Resident at Hyderabad, with the previous sanction of the Governor General in Council, is pleased to make the following rules to regulate the manufacture, possession, sale and transport of explosives.

The Hyderabad Residency Explosives Rules, 1914.

Not reprinted.—

[Hyderabad Residency Orders, 1914, Part I, p. 95.]

Rules of British India applied to Secunderabad and Aurangabad.

No. 1009-I., dated the 4th March 1891.—In continuation of the Foreign Department notification No. 3659-I., dated the 31st October 1890, applying the provisions, so far as they may be suitable, of Act XIII of 1885 (The Indian Telegraph Act) to the Cantonment of Secunderabad, subject to certain modifications, the Governor-General in Council is pleased to direct that the rules in force from time to time under the said Act in British India shall be deemed to be similarly in force in the Cantonment of Secunderabad.

[Gazette of India, 1891, Pt. I, p. 124.]

Rules of British India applied to the Residency Bazars.

No. 4452-I., dated the 29th December 1890—\* \* \* \* \*

II. The Governor-General is also pleased to direct that the rules in force from time to time under the said Act \* in British India shall be deemed to be similarly in force in the Hyderabad Residency Bazars.

[Gazette of India, 1891, Pt. I, p. 6.]

Births, Deaths and Marriages Registration Act, 1886. Establishment of General Registry Office and appointment of Registrar-General for Secunderabad.

No. 2, dated the 15th January 1904.—In exercise of the powers conferred by section 6, clause (a) of the Secunderabad Births, Deaths and Marriages Registration Law, 1886<sup>1</sup>, the Resident is pleased to establish a general registry office for keeping such certified copies of registers of births and deaths registered under this Law on marriages registered under the Indian Christian Marriage Act, 1872, as may be sent to it under this Law or under the Indian Christian Marriage Act as amended by this Law, and under clause (b) to appoint to the charge of that office, as Registrar-General of Births, Deaths and Marriages, the person for the time being holding the office of the First Assistant to the Resident at Hyderabad.

Further, under Section 12 of this Law the Resident is pleased to appoint the person<sup>2</sup> holding the office of the District Registrar under the Indian

<sup>1</sup> See now Section 6 of Act VI of 1886 as applied by notification No. 582-I.B., dated the 22nd March 1913, paragraph II of which keeps this order in force. Printed Vol. I, p. 227.

<sup>2</sup> The Cantonment Magistrate, Secunderabad. See notification No. 215-J., dated the 24th October 1873. *infra* p. 173.

Registration Act, 1877<sup>1</sup>, in Secunderabad for the time being to be Registrar of Births and Deaths under this Law for the same local area for which he is appointed under the Indian Registration Act, 1877<sup>1</sup>.

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[Hyderabad Residency Orders, 1904, Pt. 1, p. 23.]

Indian Merchandise  
Marks Act, 1889.

No. 1, dated the 5th January 1892.—In the exercise of the power conferred by section 16 of the Indian Merchandise Marks Act, IV of 1889, as applied to the Cantonment of Secunderabad and in supersession of all existing orders on the subject, the Resident directs that Criminal Courts in giving effect to the provisions of the Act in respect of trade descriptions of quantity, measure, or weight of the goods specified hereafter shall observe the following instructions :—

I. A trade description of length stamped on *grey, white, or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless—

(a) where a single length is stamped the description exceeds the actual length by more than—

4 inches	in pieces stamped as	10 yards long and under ;
5 do	do	as above 10 yards and up to 23 yards long ;
7 do	do	do 23 do 36 do ;
9 do	do	do 36 do 47 do ;
18 do	do	do 47 yards long ;

Provided that the average length of the goods in question shall not be less than the stamped length ;

(b) where a maximum and a minimum length are stamped, the described maximum length is greater than the actual length by more than—

9 inches	in piece goods under 35 yards long ;
18 do	do 35 yards and up to 47 yards long ;
36 do	do above 47 yards long ;

Provided that no such piece shall measure less than the minimum stamped length.

II. A trade description of width stamped on *grey, white, or coloured cotton piece-goods* shall not be deemed to be false in a material respect unless the description exceeds the actual width by—

half-an-inch	in pieces stamped as 40 inches or less in width ;
three-quarters of-an-inch	in pieces stamped as over 40 inches, or under 59 inches in width ;
one inch	in pieces stamped as 59 inches or more in width ;

<sup>1</sup> See now the Indian Registration Act, 1908 (XV of 1908), as applied by notification No. 532-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227.

Provided that the average width of the goods in question shall not be less than the stamped width.

III. A trade description of count or number, length or weight, applied to *grey*, or *bleached*, *cotton yarn* shall not be deemed to be false in a material respect unless—

- (a) the described count or number is greater or less than the actual count or number by more than 5 per cent., provided that the average count of the whole of the yarn in question is not greater or less than the described count; or
- (b) the average length of the whole number of hanks in a bundle is less than 840 yards; or
- (c) in a bundle of yarn of any count under 50, described as being 10lb in weight, the number of knots of twenty hanks each is not half of, the number of knots of ten hanks each is not the same as, and the number of knots of five hanks is not double, the described count or number of the yarn; or
- (d) in a bundle of yarn of any count under 50, described as being 5lb in weight, the number of knots of twenty hanks each is not a quarter of the described count or number of the yarn; or
- (e) in a bundle of yarn of any count from 50 upwards, the number of knots of twenty hanks each is not half, or the number of knots of forty hanks each is not a quarter, when the described weight is 10lb, and is not a quarter or an eighth, as the case may be, when the described weight is 5lb of the count or number of the yarn; or
- (f) in the case of *bleached yarn* the described weight exceeds the actual weight by more than—

7½ per cent. in counts from 1 to 8;			
5	do	do	from above 8 to 18;
4	do	do	do 18 to 30;
2½	do	do	do 30 to 80;

IV. A trade description of count or number applied to a bundle of *dye'd cotton yarn* shall be accepted as indicating length only, the hank being taken to measure 840 yards, and it shall be deemed to be false in a material respect if the average length of the hanks in a bundle is less than 810 yards.

V. A trade description of length applied to *thread of any kind* (of cotton, wool, flax or silk) shall not be deemed to be false in a material respect unless it exceeds the actual length by more than 1 per cent.

VI. The dimensions of goods on which their length or width is stamped shall be determined by measurement in imperial yards of 36 inches.

*Exception.*—The Cantonment Magistrate, Secunderabad, will arrange to send receipts to the treasury on the days arranged for the remittance of Cantonment and Abkari Fund's collections.

(2) All remittances must be accompanied by a *chalan* or invoice and by a pass book in Form VI.

(3) The Treasury Officer will fill in the pass book as the receipts are credited and payments made, and will strike the balance on the last working day of each month.

(4) The Collector shall see that the balance shown in the monthly account current tallies with that shown in the pass book.

12. All monies received to the credit of the ward shall be acknowledged by receipts in Form VII which should bear printed consecutive numbers, and they shall at the same time be entered in the account current.

13. All disbursements shall be made as far as possible by cheques on the treasury.

*NOTE.*—The Collector shall draw the amount required for the establishment charges on a cheque at the beginning of each month. He should pay should be remitted to the treasury payee should be obtained in the establishment

14. Cheque books containing 50 cheques each will be supplied by the Treasury Officer. All cheque books shall be kept under lock and key by the Collector.

15. For contingent charges a permanent advance of Rs50 each for estates worth a lakh of rupees and over, and Rs25 each for estates of less value, shall be in charge of the Collector, who shall make payments therefrom as required.

16. For each payment the Collector shall obtain a sub-voucher from the payee, and, in cases of petty office expenses, a written detailed statement of the sums spent shall be drawn up.

17. These sub-vouchers shall be numbered consecutively, defaced or stamped "paid in cash," and entered in a separate permanent advance register in Form VIII. At the close of the financial year, this register shall be submitted in original to the Comptroller of India Treasuries who will, after scrutiny, return it to the Collector.

18. The permanent advance shall ordinarily be recouped on the last working day of the month, but may be recouped more often if necessary. Such recoupments shall be noted in the monthly account current as well as entered in the permanent advance register.



4. It shall be open to the Collector to report for the sanction of the Resident from time to time any addition to, or alteration in, the scale of expenditure allowed for the minor.

5. The Collector shall maintain a day book and a monthly balance-sheet Receipts, expenditure and accounts. in the prescribed Forms I and III.

6. The Collector shall submit to the Comptroller of India Treasuries, not later than the 15th of each month, an account current in Form IV showing all receipts and disbursements for the previous month. This account shall be accompanied by all counterfoil receipts and vouchers in support of payments and by a copy of the monthly balance-sheet prescribed in rule 5.

NOTE.—The details of the establishment bill need not ordinarily be given, but details of any changes referred to in rule 4 should be shown.

7. With the monthly account current for March and September the Collector shall forward to the Comptroller of India Treasuries for submission to the Resident a memorandum showing—

- (a) the cash balance to the credit of the ward;
- (b) any fresh investments or changes of investments;
- (c) any improvements effected during the half-year, with general remarks on the condition of the ward's property.

8. Not later than the 1st February of each year the Collector shall submit for the sanction of the Resident, through the Comptroller of India Treasuries, a budget estimate in Form V of receipts and expenditure for the year commencing on the ensuing 1st April. These estimates will form the basis of all ordinary expenditure in connection with the ward's property. The budget estimate shall be accompanied by an explanation of any marked increases or decreases in receipts or expenditure, actual or proposed.

9. A portion of the estimated receipts, to be fixed by the Resident in each case, shall be set aside to allow for deficiencies and to serve as a working balance.

10. All valuable securities connected with the ward's property shall be forwarded to the Comptroller-General for custody. The Collector shall obtain receipts for all securities so deposited.

11. (1) All monies received on behalf of the minor or his estate shall be remitted to the Treasury Officer for credit to the estate on the day on which they are received, or, if they are received too late for remittance on that day, on the following day, or, if the treasury happens to be closed on the date of receipt, on the first working day.

*Exception.*—The Cantonment Magistrate, Secunderabad, will arrange to send receipts to the treasury on the days arranged for the remittance of Cantonment and Abkari Fund's collections.

(2) All remittances must be accompanied by a *chalan* or invoice and by a pass book in Form VI.

(3) The Treasury Officer will fill in the pass book as the receipts are credited and payments made, and will strike the balance on the last working day of each month.

(4) The Collector shall see that the balance shown in the monthly account current tallies with that shown in the pass book.

12. All monies received to the credit of the ward shall be acknowledged by receipts in Form VII which should bear printed consecutive numbers, and they shall at the same time be entered in the account current.

13. All disbursements shall be made as far as possible by cheques on the treasury.

*Note.*—The Collector shall draw the amount required for the establishment charges on one cheque at the beginning of each month. He shall pay the employes as they come, and any undischarged pay should be remitted to the treasury at the close of the month. The signature of the payee should be obtained in the establishment bill form at the time of payment.

14. Cheque books containing 50 cheques each will be supplied by the Treasury Officer. All cheque books shall be kept under lock and key by the Collector.

15. For contingent charges a permanent advance of Rs50 each for estates worth a lakh of rupees and over, and Rs25 each for estates of less value, shall be in charge of the Collector, who shall make payments therefrom as required.

16. For each payment the Collector shall obtain a sub-voucher from the payee, and, in cases of petty office expenses, a written detailed statement of the sums spent shall be drawn up.

17. These sub-vouchers shall be numbered consecutively, defaced or stamped "paid in cash," and entered in a separate permanent advance register in Form VIII. At the close of the financial year, this register shall be submitted in original to the Comptroller of India Treasuries who will, after scrutiny, return it to the Collector.

18. The permanent advance shall ordinarily be recouped on the last working day of the month, but may be recouped more often if necessary. Such reconpmnts shall be noted in the monthly account current as well as entered in the permanent advance register.

19. At times of recoupment the Collector shall compare the vouchers with the entries in the permanent advance register, shall see that the entries and totals are correct, and shall sign the register. The recoupment voucher may then be drawn in Form IX, and be enclosed with the usual payment order.

20. The recoupment shall always be in full of expenditure from the last recoupment to date, so that the balance in hand, after recoupment, shall always be the full amount of the advance. The serial numbers of sub-vouchers shall recommence with No. 1 after each recoupment.

21. The original advance and all subsequent advances shall be entered in the cash book as advances to the Collector, who, on receipt of the permanent advance, shall sign an acknowledgment for it in the permanent advance register in these terms:—

"I acknowledge to have in my possession a permanent advance of Rs. ( ) ... only, which sum is due from me to the property of ..... I am personally accountable for the amount."

A similar acknowledgment shall also be given by the holder on the 15th April of each year.

The Collector shall submit a *plus* and *minus* memorandum in the following form with his monthly accounts—

*Plus and minus memorandum of permanent advance.*

				Rs.
Balance of last month ...	...	.	...	...
Add amount debited this month ...	...	...	...	...
			Total ...	...
				...
Deduct amount credited this month ...	...	...	...	...
			Balance .	...

22. Every bill or other claim shall be checked by the Accountant, who, if it is found correct, shall endorse a payment order in words and figures on the bill and submit it to the Collector for orders.

23. If the bill is to be paid by cheque, the Collector shall, at the time of writing the cheque, enter on the bill "Paid by cheque No. , dated .". The disbursement shall at once be entered in the account current.

24. Every payment, whether in cash or by cheque, shall be covered by a receipt, stamped if necessary, signed by the person to whom the money is due

and to whom it is actually paid. A receipt signed by any other person is invalid.

25. All bills that have been paid shall be numbered consecutively for the month in order of payment, shall be stamped "paid" or "cancelled" and shall be pasted in a guard book.

Sub-vouchers for payments out of the permanent advance shall be attached to the recoupment voucher.

26. The salary bill of the establishment shall be drawn in form No. X.

27. Except as provided in Rule 36, below, the Collector shall have power to sanction the payment of all budgetted expenditure and all expenditure from the permanent advance, and shall also, subject to the same proviso, have power to sanction, without previous reference to the Resident, petty expenditure not exceeding Rs. 25 in each case and Rs. 100 for the whole year on account of unforeseen charges. If, however, in the course of the year it becomes necessary to incur any expenditure in excess of those limits for which no provision has been made in the Budget Estimate, the Collector shall submit, through the Comptroller of India Treasuries, an application for the Resident's sanction explaining fully the necessity for the proposed expenditure. In this application it should also be stated how the proposed expenditure can be met, whether by appropriation of savings in the estimate under some other head of expenditure, by appropriation of an excess of the actual over the estimated opening balance of the year, or from the balance at credit of the ward.

28. In the case of any surplus arising out of the ward's property, the Collector shall first of all consider whether any permanent improvements of the immovable property might be effected with advantage. If so, he shall submit with the annual Budget Estimate a scheme showing the amount of expenditure, the nature of the improvement, and the return to be expected, for the sanction of the Resident.

29. If no such improvement is contemplated, he shall submit for the sanction of the Resident schemes for the investment of the surplus in His Highness the Nizam's Government paper or other approved securities. In the case of investments in Government of India securities, the purchase of such securities shall be made in accordance with the rules of the Financial Department.

30. The Collector shall furnish to the Comptroller of India Treasuries all papers called for by him, and shall explain all points on which the Comptroller may call for an explanation.

31. Towards the cost of management, the ward's property shall contribute a percentage which shall be fixed by the Resident in each case, but shall not exceed 5 per cent. of the gross revenue arising from property, movable and immovable, under the control of the Collector, including the amount, if any, received from His Highness the Nizam's Court of Wards, to meet the excess of expenditure over income, and the amount shall be paid into the Government Treasury on or before the 31st March every year. The amount of contribution shall be calculated on the income of the preceding year ending on the 31st March.

*Law suits.*

32. No suit shall be instituted on behalf of a ward without the permission of the Resident.

33. The institution of suits against the wards or their estates shall be at once reported to the Resident: drafts of all written statements which it is proposed to file in Court shall be sent to the Resident for approval.

34. No appeal shall be filed without the sanction of the Resident.

35. The result of all suits shall be at once reported to the Resident.

36. No law charges, other than the payment of daily fees to a lawyer, in a case instituted or defended with the Resident's sanction, copying fees, process fees, the payment of diet money to witnesses, shall be incurred without the Resident's sanction whether budget provision under this head exist or not.

37. All suits shall be brought or defended, as the case may be, in the name of the Collector.

38. The following is a list of the registers, etc., prescribed in the foregoing rules :—

- I. Day Book or Cash Book.
- II. Register of sanctioned scheme.
- III. Monthly Balance Sheet.
- IV. Monthly Account Current.
- V. Budget Estimate.
- VI. Pass Book.
- VII. Form of Receipt.
- VIII. Permanent Advance Register.
- IX. Recoupment voucher of the Permanent Advance Account.
- X. Salary Bill of Establishment.



# FORM V.

[Rule 8.]

*Budget Estimate of Receipts and Expenditure of the property of \_\_\_\_\_  
for the year*

Heads of receipts.	Actuals of the past year.	Estimate of the current year.	Estimate for the ensuing year.	REMARKS.
I.—Receipts from His Highness' Court of Wards.				
II.—Rent of house property in . . .				
III.—Interest -				
(a) Government securities . . .				
(b) Other loans . . .				
IV.—Advances recovered (to be struck out when all are recovered).				
V.—Miscellaneous . . .				
Total receipts . . .				
Opening balance . . .				
GRAND TOTAL . . .				

## FORM V.

*Budget Estimate of Receipts and Expenditure of the property of*  
*for the year* —contd.

Heads of expenditure.	Actuals of the past year.	Estimate of the current year.	Estimate for the ensuing year.	REMARKS.
1. Establishment—				
(a) In office of . . . .				
(b) Allowance for family main- tenance, servants, etc.				
(c) Other expenses . . . .				
2. Education—				
(a) Salary of teachers . .				
(b) Other charges . . . .				
3. Taxes . . . . .				
4. Charities . . . . .				
5. Law expenses . . . . .				
6. Permanent advance . . . .				
7. Contingencies . . . . .				
8. Investments—				
(a) Government securities . .				
(b) Other loans . . . . .				
9. Maintenance and repair of estate buildings or other property.				
10. Contribution towards cost of management.				
11. Miscellaneous . . . . .				
Total expenditure . . . . .				
Closing balance . . . . .				
GRAND TOTAL . . . . .				





[Rule 12.]

(To be retained in the office of the  
Collector.)

No. \_\_\_\_\_, dated \_\_\_\_\_

Received from \_\_\_\_\_

on account of \_\_\_\_\_

Rs. \_\_\_\_\_

Initials of Collector.

FORM VII.

Receipt.

(To be sent to the Comptroller, with  
the register, &c., monthly.)

No. \_\_\_\_\_ dated \_\_\_\_\_

Received on account of \_\_\_\_\_

(to be classified under the head \_\_\_\_\_)

Rs. \_\_\_\_\_

(Signed)

Collector.

(To be given to the person from  
whom the money is received.)

No. \_\_\_\_\_ dated \_\_\_\_\_

Received from \_\_\_\_\_

on account of \_\_\_\_\_

Rs. \_\_\_\_\_

(Signed.)

Collector.

FORM VIII.

Amount of Imprest Re.

[Rule 17.]

Permanent Advance Register.

EXPENDITURE.				RECOUPMENT OF THE PERMANENT ADVANCE.																	
Sub-Voucher.		CLASSIFICATION OF EACH SUB-VOUCHER												Voucher.		Amount.		Initials of Collector.			
		Management of property—Contingencies																			
Date.		S. No.		Amount.		Particulars										Total.					
						Postage charges.															
						Stationery.															
						Hot weather charges.															
						Repair and purchase of furniture.															
						Purchase of books.															
						Telegrams.															
						Municipal taxes.															
						Licenses.															
						Petty contingencies.															
						Law charges.															
						Total.															

## FORM IX.

[Rule 19.]

*Recoupment Voucher of the Permanent Advance Account of* \_\_\_\_\_*No. of Voucher.**Date.**No. of sub-vouchers covered by this recoupment.**Being expenditure incurred from \_\_\_\_\_ to \_\_\_\_\_**Amount of this recoupment voucher Rs.*

*Received contents and certified that I have compared the entries in the P. A. Register with the sub-vouchers and have cancelled the latter, so that they cannot be used again.*

*Collector.*

## CLASSIFICATION OF CHARGES COVERED BY THIS VOUCHER.

Heads of Account.	Amount.
Management of property.—Con- tingencies. { <div style="display: inline-block; vertical-align: middle; margin-left: 10px;">             Postage charges. Country stationery. Hot weather charges.           </div>	

Pay Rs. (       ) \_\_\_\_\_ only.

*Allotment for current year.**Expenditure including this bill ...*

...

*Balance available ...**Dated the \_\_\_\_\_ 191 .**Collector.*

Hyderabad has appointed, with effect from 1st October 1903, the First Assistant to the Resident at Hyderabad for the time being to be the Inspector-General of Jails for the aforesaid Cantonment in place of the Inspector-General of Jails, Hyderabad Assigned Districts, and so to exercise, subject to his orders, general control and superintendence over the Jail at Secunderabad.

[Hyderabad Residency Orders, 1904, Pt. I, p. 58.]

Epidemic Diseases Act, 1897.

Delegation of powers to the Resident.

Rules for Secunderabad, Aurangabad and the Residency Bazaars.

No. 5041-I-C., dated the 20th December 1906.—Printed in Appendix XVI.

No.  $\frac{11}{79}$ , dated the 9th February 1901 <sup>26th December 1903</sup>—In exercise of the powers conferred

upon him by the Governor-General in Council \* \* the Resident at Hyderabad is pleased to make the regulations hereinafter set forth under section 2 of the Epidemic Diseases Act, 1897, as applied<sup>3</sup> to the Cantonment of Secunderabad \* \*.  
Aurangabad

## SECTION I.—GENERAL ORGANIZATION.

1. The general supervision of the arrangements for dealing with plague in the <sup>Secunderabad</sup> Cantonment] is in the hands of the <sup>Staff</sup> <sup>Aurangabad</sup> Principal Medical Officer, Surgeon <sup>Secunderabad and Belgaum Districts</sup>] under the control of, and subject to report to, the Resident. The <sup>Cantonment Magistrate, Secunderabad</sup> <sup>General Officer Commanding, Secunderabad District</sup> is appointed Chief Executive Plague Officer in the <sup>Secunderabad</sup> Cantonment].  
Aurangabad

2. The Chief Executive Plague Officer should in all matters connected with plague administration avail himself of every opportunity of enlisting and utilizing the services of influential and trustworthy gentlemen of the non-official classes, who by their example and attitude will not only be of material help in convincing the people of their ignorance and unreasonable prejudice, but also in assisting to discover cases of plague and carrying out measures which are clearly beneficial.

3. The <sup>Cantonment Magistrate</sup> <sup>Officer Commanding the Station</sup> shall divide the <sup>Secunderabad Cantonment</sup> into as many wards as may be convenient, and may sub-divide each <sup>ment</sup> <sup>tion</sup>.

<sup>1</sup> The rules for the Residency Bazaars were promulgated in notification No. 11, dated the 10th February 1901, published in the Supplement of the 1st March 1901, to the Hyderabad Residency Orders. They are not reprinted in extenso as they are practically identical with the rules for the Secunderabad Cantonment, but the differences are entered as footnotes to the latter.

<sup>2</sup> See now notification No. 5041-I.C., dated the 20th December 1906 Printed in Appendix XVI.

<sup>3</sup> See now notification No. 562-I.B., dated the 22nd March 1912. Printed Vol. I, p. 227.

\* Read "Residency Bazaars"

\* Read "Residency Surgeon"

\* Read "Superintendent, Residency Bazaars"

} In the Residency Bazaars Rules.

ward into circles. He shall appoint a Superintendent to the charge of each ward and a circle officer, to be styled a supervisor, to the charge of each circle.

4. The <sup>1</sup>[Staff Surgeon  
Principal Medical Officer, Secunderabad and Belgaum Districts] may, if he considers it necessary, apply to the Resident for the appointment of a medical officer and of medical assistants for plague work in the Cantonment. Such officer, when appointed, shall carry on his duties in subordination to the <sup>2</sup>[Staff Surgeon  
Principal Medical Officer, Secunderabad and Belgaum Districts], and in direct personal consultation with the <sup>3</sup>[Cantonment Magistrate  
Officer Commanding the Station]. The medical assistants shall be subordinate to the Medical Officer.]

5. The <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] in consultation with the <sup>2</sup>[Staff Surgeon  
Principal Medical Officer, Secunderabad and Belgaum Districts], shall set apart places in which (a) persons who have been compelled to evacuate their houses may be segregated; (b) persons arriving from infected areas may be detained; and (c) persons attacked with plague and their families may be housed and treated. He shall also provide and set apart suitable materials for the erection, when necessary, of huts for the accommodation of the persons so segregated.

## SECTION II.—PREVENTIVE ACTION.

6. If in any house a person becomes ill, or dies of a disease which is known or suspected to be bubonic plague, the owner of such house, or, if the owner be non-resident, the occupier and every head of a family resident therein, shall forthwith report the occurrence of such illness or death at the nearest police station or to the Superintendent of the ward.

7. If there is, or has been, resident in any house a person who has come from an infected area, the owner of such house, or, if the owner be non-resident, the occupier and every head of a family resident therein, shall report at the nearest police station or to the Superintendent of the ward (1) the arrival of such person; (2) the illness of any person in such house; and (3) the death

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<sup>1</sup> Rule 4 of the Residency Bazaars Rules runs: "The Residency Surgeon shall appoint a Medical Officer to the medical charge of the Residency Bazaars for plague work, and such officer shall carry on his duties in direct personal consultation with the Superintendent, Residency Bazaars. The Residency Surgeon may also appoint such medical assistants as he may deem necessary to work in subordination to the Medical Officer."

<sup>2</sup> Read "Superintendent, Residency Bazaars" } in the Residency Bazaars Rules.  
<sup>3</sup> Read "Residency Surgeon" }

of any person in such house immediately <sup>1</sup>[(1) the person arrives, (2) the illness is apparent and (3) the death occurs.]

*NOTE.*—The actual work of surveillance can best be performed by the people themselves, who should be encouraged and assisted to keep an organized surveillance over persons arriving from infected areas.

8. Every person who having come from an infected place does not possess a certificate that he has been detained at some segregation camp for 10 days after leaving such place shall be served with a notice to present himself daily for inspection for a period not exceeding 10 days at the <sup>2</sup>[Civil Hospital,] or at such other place as the <sup>3</sup>[Principal Medical Officer, Secunderabad and Belgaum Districts] <sup>Staff Surgeon</sup> may from time to time determine. After such person has complied with the provisions of this rule, he shall be given a certificate in the form annexed. Any new arrival who wishes to leave the <sup>4</sup>[Secunderabad Aurangabad Cantonment] before expiry of the aforesaid period of 10 days from the date of his arrival shall forthwith inform the officer in charge of the <sup>4</sup>[Secunderabad Aurangabad] Police Station.

### PLAGUE OBSERVATION CERTIFICATE.

No.

Residency Orders Notification, No. , dated .

Name \_\_\_\_\_

Father's name \_\_\_\_\_

Caste \_\_\_\_\_

Age \_\_\_\_\_

Where from \_\_\_\_\_

Period of stay \_\_\_\_\_

Address \_\_\_\_\_

Certified that \_\_\_\_\_, son of \_\_\_\_\_, has presented himself for examination as required by rule 8, Residency Orders notification No. \_\_\_\_\_, dated \_\_\_\_\_ (Signed) \_\_\_\_\_

Staff Surgeon.

<sup>1</sup> Substituted for Secunderabad only by notification No. 79-J., dated the 13th November 1911. Hyderabad Residency Orders, 1911, Pt. I, p. 217.

<sup>2</sup> Read "Residency Hospital"

<sup>3</sup> Read "Residency Surgeon"

<sup>4</sup> Read "Residency Bazar"

} in the Residency Bazar Rules.

9. Any medical practitioner who (1) attends a case of illness in a house in which there is present a person who has come from a place where plague is prevalent, or who (2) attends in any house a case in which he has reason to believe the sick person to be infected with bubonic plague, shall forthwith report such illness to the nearest police station or to the Superintendent of the ward.

10. On receiving a report under rules 6, 7, or 8, the officer in charge of the police station or the Superintendent of the ward, as the case may be, shall immediately report the matter to the District Superintendent of Police, the <sup>Cantonment Magistrate</sup> [Officer Commanding the Station], and the Medical Officer, and shall enter the name and address of all persons arriving from infected districts in a register to be maintained for the purpose.

11. For the purpose of checking the occurrence of deaths the <sup>Cantonment Magistrate</sup> [Officer Commanding the Station] may post police officers or other officials at burial and burning grounds. Such officials may enquire of the mourners the place and cause of death, but shall not delay or interfere with the cremation or burial in any way. No corpse shall be uncovered or examined at or on its way to a burning or burial ground.

12. Compulsory corpse inspection by medical officers should not be resorted to, but during an outbreak of plague all deaths the cause of which cannot be determined not to be plague should be treated as deaths from plague. It will be open to any persons to voluntarily submit a dead body to the examination of a medical officer if they wish to avoid the death from being treated as due to plague.

13. The owner and occupier of a house and the head of any family resident therein shall comply with any direction that may be issued by the <sup>Cantonment Magistrate</sup> [Officer Commanding the Station] or the Medical Officer with regard to the disinfection and cleaning of his house, the disinfection or destruction of clothing and personal effects, the medical inspection of any person who has come from an infected area, the disposal of any corpse, the improvement of the sanitary condition of the premises, and with regard to other similar matters.

14. The Medical Officer shall, if he considers it necessary, himself take measures for the disinfection of a house and for the other matters referred to in the preceding rule.

15. The owner and occupier of any house shall permit the Medical Officer to enter his premises and examine any person whom the Medical Officer has

<sup>1</sup> Read "Superintendent, Residency Bazaars" in the Residency Bazar Rules.



reason to believe to be infected with bubonic plague. If the person be a female, the examination shall, if possible, be made through a female doctor, female hospital assistant, or other female agency.

16. If on examination of any person the Medical Officer suspects that such person is suffering from or infected with plague, he may cause such person to be removed to a hospital, and may arrange for his detention, dieting, and medical treatment therein. He may also cause the other occupants of the house in which such person resides to be removed to a segregation camp, and to be detained under observation for ten days: provided that any member of the family of the person so removed who wishes to accompany him to the hospital shall be allowed to do so; provided also that when a person suffering from plague is in such a state that the officer who sees him considers that death is imminent, he shall not insist on the removal of the patient to hospital except at the express wish of his relatives or friends.

NOTE A.—The removal of patients to hospital should be compulsory only in places and under circumstances where it can be carried out so completely as to render it an effectual precaution, and in the case of persons who are left without any one to look after them or who have no home. But every effort should be made to induce patients to go voluntarily to hospitals, and to lessen the aversion to hospitals by encouraging the establishment of private and caste hospitals, by locating them near to infected quarters, by limiting their size so that patients may receive more individual attention and accommodation may be more readily made available for their immediate families and friends, by arranging for the provision of an adequate number of medical attendants and nurses and of ample and comfortable accommodation for patients, and by permitting at least two friends to be in attendance, so that the patient may never be left alone.

NOTE B.—The segregation of contacts, *i.e.*, persons who have been living with or in immediate attendance on the patient, should not be undertaken except where the infection is confined to so small an area that contacts can be accurately known and establishments can be provided sufficient to secure the detention of every contact. Where, however, plague is widespread, the segregation of contacts is impracticable, but a system of surveillance with the co-operation of the inhabitants might prove advantageous if one could be devised to keep watch over their health without exciting them to crude observation.

### SECTION III.—ACTION TO BE TAKEN WHEN AN OUTBREAK OF PLAGUE HAS OCCURRED OR IS LIKELY TO OCCUR.

17. When there is reason to believe that cases of plague are occurring in the [<sup>Secunderabad</sup><sub>Aurangabad</sub> Cantonment,] or are likely to occur, owing to the proximity of the [<sup>Secunderabad</sup><sub>Aurangabad</sub> Cantonment,] to an infected area, gangs of coolies shall be organized to work under each Superintendent or Supervisor as may be determined. The duties to be performed by these gangs are—

- (a) the detection of cases and their removal to hospital;
- (b) the evacuation of houses and the removal of the inmates to camp; and
- (c) the disinfection of houses.

<sup>1</sup> Read "Residency Hazars" in the Residency Hazars Rules.

18. Wherever such measures may appear to him advisable, the <sup>1</sup>[Cantonment Officer  
Magistrate  
Commanding the Station] shall organize search parties under the charge of the Superintendent of the ward. Each search party should be accompanied by a medical officer or medical assistant, and by a female, either European or native.

NOTE—These measures should be employed only when it is clear that they will be effectual in saving the people from disaster, and the only circumstances in which resort to it will be justifiable will be when plague exists in small and well defined areas, such, for instance, as an isolated quarter or ward.

19. No house vacated on account of plague may be reoccupied without the sanction of the <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] and he may cause a notice to that effect to be affixed to each vacated house. He should place a seal on boxes containing valuable property left in houses which have been evacuated on account of plague. Such property may be removed by the owner, but if he declines to remove it, it will remain at his risk.

20. Property of any value belonging to the poorer classes which it may be considered necessary or advisable to destroy as being infected should be appraised by two or more respectable natives, and the value paid to the owner by the Superintendent of the ward. Compensation should also be given without delay to the very poor for the destruction of clothes, etc., which although they may be of no market value, yet serve a useful purpose to the owners.

21. The stock of disinfectants, padlocks, and all surplus appliances for divisional use will be kept in or near the office of the <sup>1</sup>[Cantonment Officer  
Magistrate  
the Station].

22. Each Superintendent or Supervisor, as the case may be, will keep a list of all residents in each house in his sub-division. He will inspect all new arrivals, and will obtain information from them as to their previous place of residence. He will, in company with the local resident appointed to assist him, visit all the houses in his sub-division and obtain information regarding the health of the different inmates, and will on the conclusion of his rounds report verbally to the <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] or to his Superintendent, as the case may be, the occurrence of all cases of sickness and death and any information regarding arrivals from infected localities. Any case of plague and all doubtful ones of sickness should be at once

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<sup>1</sup> Read "Superintendent, Residency Bazar" in the Residency Bazar Rules

reported to the <sup>Cantonment Magistrate</sup> [Officer Commanding the Station] at his office by day and at his house by night.

23. Each Superintendent or Supervisor will be provided with a sufficient supply of disinfectants ready for use, with tubs, buckets, watering pots, and implements required for unroofing houses and making holes in the walls. There should also be a dooly, *charpai*, or bamboo frame for the removal of the sick. It should be thoroughly washed or sprayed with perchloride of mercury solution,\* and the gunny portions boiled either at the hospital or

\* *Vide Annexure I.*

sub-divisional dépôt after use. This is necessary, as the same dooly may be used for carrying suspected cases to the observation ward. All the above articles should be kept in a room or yard near the centre of his sub-division or at the office of the <sup>Cantonment Magistrate</sup> [Officer Commanding the Station].

24. On a report being received by a Superintendent of a ward of the occurrence of a case of plague, he shall at once proceed to the house. If the case appears an undoubted case of plague, he may order the immediate removal of the patient to the plague hospital. If he considers the case to be of a suspicious nature, he shall at once send for the medical officer or assistant, and may then order the removal of the patient either to a plague hospital or plague observation ward, according to the opinion formed of the case. The other inmates of the house, with their movable property, may be taken to the segregation camp in charge of one or more policemen or other responsible persons: provided that any member of the family who wishes shall be permitted to accompany the patient to the plague hospital or observation camp; provided also that when a person suffering from plague is in such a state that the officer who sees him considers that death is imminent shall not insist on the removal of the patient to hospital except at the express wish of his relatives or friends.

NOTE.—*Vide notes A and B to rule 16*

25. Such persons will be supplied with passes by the Superintendent of the ward admitting them into hospital and camp. These passes after countersignature by the medical officer or the officer at the camp will be returned through the policemen to the Superintendent.

26. The inhabitants of an evacuated house should be allowed to remove sufficient grain for their personal consumption after it has been exposed to the sunlight so as to remove all danger of infection. If in any case it is desired to remove grain for sale from an infected area, it must first be spread out under the direction of the Superintendent, and exposed to air and sunlight for 48 hours. In neither case must the bags or sacks be removed until they have been boiled or disinfected and sun-dried.

\* Read "Superintendent, Presidency Bazaar" to the Presidency Bazaar Rules

27. After evacuation of the house, the walls and floors of all rooms with their contents, except articles of food, which it is not intended to destroy, and of all enclosures, should be disinfected in the manner indicated in Annexure I. All rags and refuse found in the house or enclosure should be burned in the presence of the Superintendent or Supervisor, as the case may be.

NOTE.—It is often prudent to disinfect not only one house in which a case of sickness has occurred or dead rats have been found, but those in the immediate neighbourhood as well. Where the Superintendent thinks such disinfection advisable, it should be carried out under his orders.

28. After a house has been disinfected the door shall be secured by a padlock, of which the Superintendent shall retain the key, or entrance may be barred by any other effectual method.

29. When disinfection by chemical agency cannot be carried out effectively, the roof, if not a *pukka* one, should be removed, and holes should be made in the walls to admit freely air and light to the smaller rooms and enclosures. On the completion of these operations the door shall be secured with a padlock, or entrance barred by any other effectual means. The burning down of houses should be resorted to only in the case of temporary structures which are of little or no value, or in the case of houses which are unfit for human habitation.

30. The coolies engaged in the work of disinfection, etc., should be provided with boots or shoes to protect their feet from the danger of infection through abraded surfaces.

31. Experience has abundantly proved that the evacuation of an infected house or houses is seldom in itself sufficient to stamp out the disease. When plague manifests itself in one house in an indigenous form, those in the neighbourhood have, as a rule, already become infected, and it usually follows that cases subsequently appear in them. It is therefore always a wise and prudent course on the occurrence of an indigenous case, not only to evacuate the one house, but also all those in the immediate neighbourhood. The clothing of the inmates of an infected house should be disinfected by boiling.

32. It may be necessary owing to the occurrence of several cases in one area to vacate a group of houses or a whole sub-division and to segregate the inhabitants, and, if necessary, a cordon of police or troops may be employed for the purpose. The whole or any portion of the population vacating may be removed to the segregation camp, but ordinarily inhabitants of non-infected houses should be allowed the option of going where they please. Disinfection and unroofing of the houses should then be carried out in due course.

NOTE.—It must, however, be understood that the success of such a measure as evacuation most largely depend on the willingness of the people, the season of the year, the situation of the town, the facilities for providing camp accommodation, and the strength of the available staff, and it should not ordinarily be resorted to save in the case of small detached or defence areas.

33. On the evacuation of the houses in the infected area, all the inhabitants of the non-infected portion of the town should be encouraged to leave the town, and any obstacle which may tend to delay their departure should, if possible, be removed.

34. If the disease shall have become of general prevalence in the {Secunderabad  
Anrangabad} Cantonment], every quarter being affected, and if the arrangements for dealing with the epidemic are incomplete and defective, effectual measures must be taken to regulate the departure of the population and prevent them carrying infection to healthy areas without, however, employing cordons. Every effort should in the meantime be made to provide sufficient accommodation in huts for a large proportion of the population.

35. A person dealt with under the foregoing rules shall comply with any directions that may be given to him by the Medical Officer with regard to his removal to, and his detention and treatment in, an observation shed, temporary hospital, or place of segregation, and with respect to the disinfecting or burning of his clothing and personal effects, the disposal of any corpse, or with respect to any other similar matter: he shall not depart from any such place of detention without the permission of the Medical Officer.

36. In the event of a death occurring from bubonic plague, the Medical Officer shall arrange for the disposal of the body in accordance with the religious practices of the deceased and the instructions in Annexure I. In the case of a European or Muhammadan, the body shall be buried at least six feet deep; the place of burial, if not an authorised cemetery, should be well away from habitations and sources of water-supply. In the case of a Hindu, the body shall be completely and thoroughly burned in an isolated locality in the presence of a responsible official.

37. The 2 {Cantonment Magistrate  
Officer Commanding the Station} shall provide suitable conveyances for the free carriage of persons suffering, or suspected to be suffering, from the plague, and it shall be lawful to drive or carry such conveyances through any public or private thoroughfare.

38. Any conveyance, public or private, used for the carriage of a person infected with plague, or suspected of being infected, shall be thoroughly disinfected and exposed to air and sunlight for seven days previous to being again brought into general use.

#### SECTION IV.—GENERAL SANITARY PRECAUTIONS.

39. The 2 {Cantonment Magistrate  
Officer Commanding the Station} may issue general orders that by a certain specified date certain sanitary precautions of a simple nature, such as

<sup>1</sup> Read "Residency Bazaars"

<sup>2</sup> Read "Superintendent, Residency Bazaars" } in the Residency Bazaars Rules.

the free ventilation and lime-washing of houses, the scraping and burning of floors, the cleaning of latrines, the removal of filth and rubbish, and of partitions which obstruct light and ventilation, shall be carried out within any specified area, and all persons residing within such area shall be bound to give effect to these orders.

If within such time such persons fail to carry out the operations specified in the notice, the Medical Officer may, with the sanction of the <sup>1</sup> [Cantonment Officer Com. Magistrate commanding the station] enter upon the premises at any time between sunrise and sunset after giving such notice of his intention as shall under the circumstances appear to him to be reasonable, and carry out the measures specified above: provided that when an apartment is occupied by a female who, according to the custom of the country, does not appear in public, the Medical Officer shall give at least one hour's notice of his intention to enter such apartment, and shall afford her every reasonable facility for withdrawing from such portion of the apartment as he may desire to enter. The expense incurred may be recovered from the persons who, in the opinion of the <sup>1</sup> [Cantonment Magistrate Officer Commanding the station] may fairly be held responsible.

40. When any premises or any block of huts are in such an insanitary state as, in the opinion of the Medical Officer, to make the inmates thereof specially liable to an attack of the bubonic plague, he may require the owner by notice to have the whole or any portion of such premises cleansed within a specified time in such manner as may appear to him necessary, and may, in consultation, if necessary, with a competent Engineer, direct the owner to remove all structures, partitions, erections, or portions of house-walls which obstruct light and ventilation. If within such time the owner fails to carry out the operations specified in the notice, the Medical Officer may, with the sanction in writing of the <sup>1</sup> [Cantonment Magistrate Officer Commanding the station], enter upon the premises at any time between sunrise and sunset after giving such notice of his intention as shall under the circumstances appear to him to be reasonable and carry out the measures specified above: provided that when an apartment is occupied by a female who, according to the custom of the country, does not appear in public, the Medical Officer shall give at least one hour's notice of his intention to enter such apartment, and shall afford her every reasonable facility for withdrawing from such portion of the apartment as he may desire to enter. The expenses incurred may be recovered in the manner provided in rule 39 above.

41. In any part of the <sup>2</sup> [Cantonment] where cases of plague have occurred, all grain godowns or places where grain is stored or sold for

<sup>1</sup> Read "Superintendent, Residency Bazaar" } in the Residency Bazaar Rules.  
<sup>2</sup> Read "Residency Bazaar"

consumption shall be open at all times for inspection by the Medical Officer or officer deputed by him.

When a grain godown is found improperly ventilated or in such an insanitary condition from damp or otherwise as to be unwholesome for storage of grain, the proprietor shall be required to remove the grain to a properly constructed godown.

All grain godowns in which dead rats have been found shall be declared unwholesome and unfit for use until thoroughly disinfected. The grain found in such godowns may be turned over and properly aired, or destroyed as unfit for food, and any bags in which infected grain is found stored shall also be destroyed.

42. No person, except the authorized servants of the Local Fund Committee, shall pick up rags or other refuse in the streets or elsewhere. The <sup>1</sup> [Cantonment Magistrate  
Officer Commanding the Station] may disinfect or, at his discretion, destroy any collection of rags in rag-pickers' houses or rag-stores.

43. All expenses incurred in carrying out these rules shall be debitable to the <sup>2</sup> [Secunderabad  
Aurangabad Cantonment] Fund.

#### SECTION V.—ORGANIZATION OF PLAGUE HOSPITALS AND CAMPS.

44. A site for the hospital should be selected as near as possible to the infected population, but a permanent building, suitable in all respects for a hospital, may sometimes be obtained either inside or on the outskirts of the town. It can be easily disinfected when it is no longer required for a hospital, and such a building would be more popular and convenient than huts erected at a distance from the town.

45. If a suitable building is not available, it will be necessary immediately on the outbreak of plague to erect huts for plague patients, for convalescents and for the observation of doubtful cases on the nearest site. The hospital huts intended for females should be some distance apart from those intended for males. Movable mat screens should be provided between the beds to secure as much privacy as is possible to each patient. Every patient should be supplied with a cheap substitute for a spittoon, and

The disinfecting solution is described in Annexure I.

both it and the vessels used as bed pans should contain a sufficient quantity of an effective disinfecting solution. The floor of the hospital huts should be freely watered daily with the perchloride of mercury solution, and vessels containing the same solution should always be available for the disinfection of the hands and feet of the native attendants.

<sup>1</sup> Read "Superintendent, Residency Bazar" } in the Residency Bazar Rules.

<sup>2</sup> Read "Residency Bazar"

46. Relations and friends of patients are to be permitted to attend upon them, so far as is consistent with the maintenance of discipline and order, and a stated time should be set apart for the visits of all other relatives and friends of the patients.

47. On the arrival of the patient at the hospital, all his clothing should be removed and burnt in the presence of the Medical Officer in charge. Hospital clothing should then be supplied. On recovery the patient may be transferred to the convalescent ward or discharged. In either case he should be given a warm bath and supplied with new clothes.

48. Huts for the segregation of individuals removed from infected houses and of all suspected persons should, if possible, be erected at a convenient distance from the hospital compound, and should be surrounded by a bamboo or other fence. Individuals brought for admission into this camp may, if necessary for purposes of cleanliness, be bathed in a solution of carbolic acid, one to a hundred parts of water, and their clothing disinfected.

NOTE.—*Vide* Note B to rule 16.

49. All the inmates should be inspected daily either by the Medical Officer or a medical assistant, and any case of plague detected should be removed at once to hospital, and doubtful cases of fever to the observation ward. If no case occurs amongst them after an interval of 15 to 30 days, they may be allowed to return to their houses if such houses have been cleaned and disinfected, and if the <sup>Cantonment Magistrate</sup><sub>Officer Commanding the Station</sub> considers that they are fit for re-occupation, or they may be admitted into the camp for healthy individuals after a second disinfection of their clothing.

50. Both the hospital compound and the segregation camp should be guarded by police or troops to prevent the egress of inmates.

51. The establishment of separate hospitals and segregation camps for the reception of private families or for members of special castes, and religions should be encouraged, and every assistance should be given by the <sup>Cantonment Magistrate</sup><sub>Officer Commanding the Station</sub> for their erection and supervision. The treatment of the patients admitted into these hospitals may, if desired, be placed in the hands of *vaid*s and *hakims*, and the internal management of both hospitals and camps may be conducted by members of the caste or religion concerned, subject however to the general supervision of a European doctor in sanitary matters, where possible, and to the control of the local authorities, and the usual arrangements as regards guards.

No segregation of the sick, except in the general hospital or in the separate hospitals referred to in this rule, can be permitted except under the special

<sup>1</sup> Read "Superintendent, Residency Bazar" in the Residency Bazar Rules.



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42. No person, except the authorized servants of the Local Fund Committee, shall pick up rags or other refuse in the streets or elsewhere. The <sup>1</sup> [Cantonment Magistrate] Officer Commanding the Station may disinfect or, at his discretion, destroy any collection of rags in rag-pickers' houses or rag-stores.

43. All expenses incurred in carrying out these rules shall be debitable to the <sup>2</sup> [Secunderabad Aurangabad Cantonment] Fund.

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The disinfecting solution is described in Annexure I.

both it and the vessels used as bed pans should contain a sufficient quantity of an effective disinfecting solution. The floor of the hospital huts should be freely watered daily with the perchloride of mercury solution, and vessels containing the same solution should always be available for the disinfection of the hands and feet of the native attendants.

<sup>1</sup> Read "Superintendent, Residency Bazar" } In the Residency Bazar Rules.  
<sup>2</sup> Read "Residency Bazar"

46. Relations and friends of patients are to be permitted to attend upon them, so far as is consistent with the maintenance of discipline and order, and a stated time should be set apart for the visits of all other relatives and friends of the patients.

47. On the arrival of the patient at the hospital, all his clothing should be removed and burnt in the presence of the Medical Officer in charge. Hospital clothing should then be supplied. On recovery the patient may be transferred to the convalescent ward or discharged. In either case he should be given a warm bath and supplied with new clothes.

48. Huts for the segregation of individuals removed from infected houses and of all suspected persons should, if possible, be erected at a convenient distance from the hospital compound, and should be surrounded by a bamboo or other fence. Individuals brought for admission into this camp may, if necessary for purposes of cleanliness, be bathed in a solution of carbolic acid, one to a hundred parts of water, and their clothing disinfected.

NOTE.—*vide* Note B to rule 16.

49. All the inmates should be inspected daily either by the Medical Officer or a medical assistant, and any case of plague detected should be removed at once to hospital, and doubtful cases of fever to the observation ward. If no case occurs amongst them after an interval of 15 to 30 days, they may be allowed to return to their houses if such houses have been cleaned and disinfected, and if the [Cantonment Magistrate  
Officer Commanding the Station] considers that they are fit for re-occupation, or they may be admitted into the camp for healthy individuals after a second disinfection of their clothing.

50. Both the hospital compound and the segregation camp should be guarded by police or troops to prevent the egress of inmates.

51. The establishment of separate hospitals and segregation camps for the reception of private families or for members of special castes, and religions should be encouraged, and every assistance should be given by the [Cantonment Magistrate  
Officer Commanding the Station] for their erection and supervision. The treatment of the patients admitted into these hospitals may, if desired, be placed in the hands of *vaid*s and *hakims*, and the internal management of both hospitals and camps may be conducted by members of the caste or religion concerned, subject however to the general supervision of a European doctor in sanitary matters, where possible, and to the control of the local authorities, and the usual arrangements as regards guards.

No segregation of the sick, except in the general hospital or in the separate hospitals referred to in this rule, can be permitted except under the special

<sup>1</sup> Read "Superintendent, Residency Bazaars" in the Residency Bazaars Rules.

orders of the <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] in each case. It should be explained to the people that in no case will they be compelled to submit to European treatment if they prefer, and are able, to obtain for themselves a *hakim* or *vaid*.

52. A camp for the healthy, *i.e.*, for people removed from houses not infected, should also be arranged for. The inmates should be allowed to pursue their daily employments on condition that they sleep in camp. The huts should be numbered, inmates registered, and a daily inspection made of all the residents. If no case of plague has occurred in a hut for 15 to 30 days, the inmates may be allowed to return to their houses if such houses have been ventilated, cleaned, and disinfected and if the <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] considers that they are fit for re-occupation.

53. Should a case of plague occur in a hut, the patient should be removed to hospital, and the other inmates to the segregation camp. The hut should be at once burned and the site disinfected with the perchloride of mercury solution.

54. The method of arranging a plague camp is given in Annexure II to these rules.

55. The <sup>1</sup>[Cantonment Magistrate  
Officer Commanding the Station] may close a private hospital if it appears to him that the management of such hospital is not satisfactory.

## SECTION VI.—MISCELLANEOUS.

### *Inoculation.*

56. On the occurrence of an outbreak of plague the <sup>2</sup>[Principal Medical Officer,  
Surgeon Secunderabad and Belgaum Districts] should at once place himself in communication with M. Haffkine in Bombay with a view of obtaining a supply of lymph and syringes for inoculation and instructions for their use. Inoculation should then be started under the <sup>1</sup>[Staff Surgeon]<sup>\*</sup> <sup>2</sup>[Senior Medical Officer]<sup>\*</sup> personal supervision, and inoculation certificates granted free of charge to all who voluntarily undergo the process.

57. No person shall be inoculated without his own express consent.

58. Every person who holds a certificate that he has been inoculated by M. Haffkine's process, and provided that such certificate is less than six months old, shall be entitled to the following privileges:—

- (a) He shall not be liable to detention at any railway or road observation camp when travelling except for such period as may be

<sup>1</sup> Read "Superintendent, Residency Bazzars" } in the Residency Bazzars Rules.

<sup>2</sup> Read "Residency Surgeon"

required to disinfect his baggage and clothes, if those are considered suspicious.

- (b) He shall not be liable to take out passports and present himself daily for observation for ten days after arrival from a plague infected place.
- (c) An inoculated person who has been living in an infected house or has otherwise been exposed to plague infection shall not be liable to be segregated, but may be required to evacuate the infected house and to have his clothes and personal effects disinfected. When, however, all the occupants of a house have been inoculated, neither the patients nor the other inmates of the house shall be required to be segregated, provided arrangements are made to the satisfaction of a Plague authority for the disinfection of the house and its contents, and for the prevention of the spread of plague to the neighbouring dwellings.

The inoculation certificate shall be in the following form:—

### PLAGUE INOCULATION [ROYAL ARMS] CERTIFICATE.

[COUNTERFOIL.]	No.	
	: CERTIFIED that	, father's name
No.	:	
Name	:	, resident of
	:	Street
	:	Village
Father's name	:	Town
	:	Taluq
	:	, District
Street	:	
Village	:	
Town	:	
Taluq	:	
District	:	
Date	:	
Initials of operator.	:	

, has been inoculated by me,  
and that his thumb-mark was at the time impressed  
before me.

Space for left thumb-mark

Signature and  
designation }

Dated

occupants of the house have been inoculated, or to have his clothes disinfected when travelling. The certificate is valid for a period of six months

of the house. The disinfectant should be thoroughly applied to the floor of the rooms and all the corners and recesses and places which might have served for the reception of infected clothing, and so much of the walls within reach of the disinfectors should also be disinfected.

9. The most efficacious chemical disinfectant is solution of perchloride of mercury, and if prepared in the following proportion will give a suitable and concentrated solution, which can be diluted and quantity increased when required to be used :—

	Oz.
Perchloride of mercury . . . . .	21
Chloride of ammonia . . . . .	15
Hydrochloric acid . . . . .	100
Aniline blue . . . . .	1
Water . . . . .	340
<hr/>	
Total . . . . .	477
<hr/>	

For actual use  $3\frac{1}{2}$  ounces of the above solution is diluted in 1 gallon of water, which gives a solution containing perchloride of mercury in proportion of about 1 to 1,000.

10. The disinfectant should only be made up by the Medical Officer, Special Plague Officer, Assistant Surgeon, or a Hospital Assistant in a concentrated form as given in the previous paragraph, and careful instructions given as to the amount of water to be added. The capacity of vessel used for measuring out the perchloride of mercury solution should be accurately adjusted to that of the wooden buckets in which that solution is diluted for use. The disinfectant should be poured over the floor, and the walls vigorously brushed down with it. Before commencing disinfection all the furniture and household effects should be cleared out and put in the open. When the room has been dealt with, the effects are to be taken in hand. As soon as disinfection has been completed, the household effects ought to be replaced; and as soon as the rooms are dry, the inhabitants ought to be allowed to return. Only wooden vessels should be used for disinfecting solution on account of the acid contained in it.

11. In cases where it is not possible to carry out chemical disinfection, the disinfecting agency of desiccation should be relied on. For this purpose the house should be thoroughly cleared of crowding and moist accumulation, and left empty for two months. If, however, it is near the rains, and to

bury on disinfection by desiccation, it may be necessary to remove the roof to let in air and sunlight freely.

12. In disinfecting household and personal effects, the feelings of the people in carrying it out should be consulted. All destructive methods of disinfection are proscribed, and nothing which could by any possibility have any value for its owner should be broken up or destroyed by fire.

13. The best way to disinfect infected objects is to keep a cauldron of water at the boiling point, and to immerse in it for a moment the various infected objects. As an alternative to the momentary immersion in boiling water, the infected clothing might be steeped in disinfecting solution; but this solution should be neutral, for, if it is acid, the article will be damaged. This neutral solution of perchloride of mercury can be prepared in the same manner as the acid solution mentioned in paragraph 9, with the exception of leaving out the hydrochloric acid and the disinfection to be carried out by similar agency as mentioned in paragraph 6.

14. It is no use carrying infected articles and clothing to a distance to a steam steriliser, but the disinfection should be carried out on the spot.

15. Dealing with fabrics, such as silk, etc., which would be injured by immersion into boiling water, these should be exposed to the rays of the sun for several days.

16. Infected grain and such articles which cannot be disinfected by disinfecting solution or boiling should be disinfected by desiccation, and should be spread out in thin layers and exposed to the rays of the sun.

17. Disinfection of the persons of travellers is not necessary, and should be abandoned.

18. Disinfection of drains and cess-pits is not necessary, and should be abandoned; but it is advisable to continue the disinfection of latrines.

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## ANNEXURE II.

### *Instructions for establishing Plague Camps.*

The following are the standard plans of a plague hospital of 25 and 50 beds respectively:—

1. The lineal dimensions of the isolation hut should be adhered to whatever the shape, elevation, and nature of the structure may be.

2. A regularly constructed hut is recommended with the roof well raised on the side supports, which should be 5 to 6 feet in height, allowing 1½ feet open space between the side wall walls for ventilating purposes.

3. The floor should be raised and formed of rammed earth at least 1 foot in depth to permit of its being readily scraped, disinfected with quicklime, relaid or completely removed.

4. The huts admit of a front and rear screen wall being affixed, so that each hut may be adapted for cottage or zenana purposes.

5. The arrangement of the huts can be varied according to site available in echelon, in single, double, or treble lines if necessary; but when more than a single line is required, it is advisable to adopt the echelon arrangement.

6. The central street should not be less than 60 feet in width, the distance between lines not less than 40 feet, and from hut to hut not less than 8 feet.

7. The arrangement and dimensions of the huts render them easily adaptable for suspect, segregation, and zenana purposes, as zenana screen mate can be readily put up, 10 lineal feet being reserved in front and rear respectively for the purpose, and one, or several, or many, huts may be screened off as required.

8. Each hut is intended for one plague patient, but under pressure could accommodate two plague patients. The necessity for isolating each plague patient is abundantly evident, and the crowding of cases tends to accentuate conditions facilitating the spread of the infection and involves danger to attendants.

9. If the huts are intended for "suspects," two "suspects" could be safely accommodated in each hut; and, if intended for simple segregation purposes, there is sufficient accommodation for four persons. Each hut may, as stated, be formed into a zenana.

10. In a general segregation camp the huts may be of cheap construction, and a lean-to structure may suffice; but the arrangement of the huts should as far as practicable be as directed in regular line, in parallelogram or echelon, with not less than the minimum distances between the lines and huts.

11. All huts should have mat screen walls, which can be readily washed with quicklime while the floors are being disinfected, or relaid with the same material.

12. It may not be necessary to establish or equip a plague hospital except on the smallest scale of two or three beds, but Plague Committees and Staff Surgeons should select eligible sites, and be prepared at a moment's notice to form segregation camps and establish or extend a plague hospital, so that the huts already, or about to be, erected may fit in with the proposed scale and plans.

13. The hospital and observation wards should be surrounded with a fence.

14. Care should be taken to ensure a good and plentiful supply of water to different camps. If the water-supply to the town is conveyed through pipes, connections should, if practicable, be carried into the camps. Bathing platforms at some distance apart for the two sexes should be constructed and provided with surface drains for the removal of surplus water.

15. Separate latrines for the sexes should be erected in connection with the two camps and hospital, and they should be well lighted with ordinary post lamps.

16. Bunniabs' shops with all supplies should be provided for each of the camps.

[Hyderabad Residency Orders,  $\frac{1901}{1906}$  Supplement Part I, page  $\frac{75}{4}$ ]

No. 9, dated the 30th January 1905 — In exercise of the powers conferred <sup>1</sup> Rules for the Rail- upon him by the Governor-General in Council \* \* \* the Resident <sup>way lands.</sup> at Hyderabad is pleased to make the rules hereinafter set forth under section 2 of the Epidemic Diseases Act, 1907, as applied <sup>2</sup> to the railway lands in His Highness the Nizam's territory \* \* \*

1. Every person arriving at, or suspected of having arrived at, a railway station from any place notified to be infected with plague shall, unless he is exempted or he already holds a passport or a permanent pass, or has been detained for the full period of incubation at a railway inspection station or in a plague camp, before arrival at a railway station at which he has booked, obtain from the Police officer in charge a notice binding him to present himself for inspection daily for the next ten days before the local authority of the town or village to which he may be booking; and he shall be bound so to present himself.

2. By a "Local Authority" or District Officer is meant any of the following officers:—

- (a) The Commissioner of Police, Hyderabad.
- (b) The Cantonment Magistrate, Secunderabad.
- (c) A Medical Officer.
- (d) A Taluqdar.

<sup>1</sup> See now notification No. 5041-1 C., dated (the 30th December 1903). Printed in Appendix XVI.

<sup>2</sup> See now notification No. 582-1 B., dated the 22nd March 1913. Printed Vol. I, p. 227.



(e) A Tahsildar.

(f) Any Police officer not below the rank of an Inspector of Police.

Passport issuing officers. 3. The following officers are authorised to issue passports :—

The Railway plague police officers at Wadi, Nander, Indur, Khammamett and other stations at which there may be a plague head constable, and the plague police officers travelling with the train on the Nizam's Guaranteed State Railway and Hyderabad-Godavery Valley Railway.

4. Every person required by these rules to take out a passport shall declare truly his name, address and such

Duties of passport holders.

other particulars as may be required by the officer issuing the passport. He shall, unless exempted, for ten days from the date of the issue of the passport daily present himself with his passport at the appointed time at the hospital entered in the passport or before the local authority of the place where he may be for the time being, and shall daily obtain the signature of the medical officer or local authority on his passport in token of his having so presented himself. If he becomes ill or if any sickness occurs in the house, in which he is or has been residing during the said period of ten days, he shall give immediate information of the same to the medical officer or local authority. He shall report similarly any change in his residence occurring within ten days from the date of the issue of the passport, and if he changes his residence, he shall, before departure, get the entries of his passport altered by the local authority or medical officer. On the expiry of the said period of ten days, he shall deliver up his passport to the local authority or medical officer of the place where he may then be.

5. Every officer issuing a passport shall immediately send the duplicate copy of it, by post or by special messenger

Incapacitated persons and minors

or in any other manner directed, to the local authority of the place of destination of the person passported. If the local authority of the place of destination is not known, the duplicate copy of the passport shall be sent to the Plague Commissioner for transmission to the local authority.

6. In the case of incapacitated persons and persons who are under twelve years of age, the obligation to take out

Intimation of issue of passports.

passports for them to present them for daily inspection, to report truly their names and addresses, to intimate any change in their residence, and to comply otherwise with the requirements of these regulations shall rest on their legal guardians or on any person in whose charge they travel or who receives them at the railway station of destination.

7. The Nizam's Guaranteed State Railways Administration shall put up in a conspicuous place in every railway carriage a copy of the following notice in English, Urdu, Telugu, and Marathi :—

### NOTICE.

The Hyderabad plague regulations require all passengers arriving from plague-infected parts to take out passports from Medical Officer, Gulbarga, Wadi, Khammamett, Indur or the Plague Police Officer travelling with the train. Any person refusing to comply with or attempting to evade these rules renders himself liable to punishment with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both, under section 185, Indian Penal Code.

8. All passengers should be required to quit their carriages and should be examined on the platform or other suitable place, suspicious cases being removed for more careful investigation to a place reserved for the purpose. Care must be taken that the carriages are locked before the arrival of the train at the inspection station, and that no passenger is permitted to leave his carriage until the arrangements for such examination are complete.

9. Railway Administrations are required to instruct their staff to give every assistance to the medical and police officers conducting the inspection in order to minimise the detention of the trains, and to detain the trains until the medical inspection is over. Railway ticket-collectors may be allowed to accompany the plague inspecting officers, if this course is found to economize time.

10. It is the duty of railway authorities, assisted by the platform police, to see that passengers alighting at a railway station do not leave the premises except by the proper exit, and to afford every facility for the working of the plague regulations. Ticket-collectors should be required to stop all passengers holding tickets issued at infected or notified stations until their names and addresses have been taken down, and passports issued to them by the plague official appointed for the purpose.

11. The inspecting officers should not only thoroughly examine passengers and passenger vehicles, but should also inspect the guards and Post Office vans, so that no person may escape inspection. No distinction should be made between railway employes and others, and before any train, whether carrying passengers or goods, leaves the inspection station, a

thorough search should be made to discover if any persons have concealed themselves with the object of evading inspection.

12. Female passengers should in no circumstances be required to be examined by men. For their inspection, one or more nurses are attached to each inspection station.

13. After examination, all persons shall be allowed to proceed to their destination except—

- (a) those suffering from, or suspected to be suffering from, plague or those who have so recently suffered from plague as to be possibly in an infectious state.
- (b) pilgrims or persons belonging to any other class who appear for any reasons to be specially dangerous whether travelling single or in numbers, or persons who cannot be depended upon to present themselves daily for medical examination for ten days on arrival at their destination, or to give information should plague occur among them.

Persons coming under class (a) shall be detained until they are cured or as long as the infection or suspicion of plague remains. Information of such cases shall be sent urgently to the Plague Commissioner. All contacts shall also be detained for a period of ten days from the occurrence of the last case of plague among them.

Persons coming under class (b) may be detained at the discretion of the medical officer till the full period of incubation *i.e.*, ten days) has elapsed since they left the infected area, or if that date is not known, for ten days.

14. Officers in charge of plague camps should give a certificate to every person discharged from the camp, in order to enable such persons to resume their railway journey.

15. Any person arriving at, or passing through, an inspection station may, at the discretion of the inspecting medical officer, be compelled to obtain a passport and to undergo surveillance for ten days.

16. The inspecting medical officer may also require any passenger to deliver up his ticket, in order that the prescribed mark indicative of his having arrived from a plague-infected locality, and therefore of his being liable to obtain a passport, may be impressed thereon; and such passenger shall be bound to deliver it up accordingly.

17. The mark thus used is a hole, four-tenths of an inch square, punched in the long side of railway tickets. It should be made only on the tickets of those passengers who come, or are suspected to come, from plague-infected areas or from places notified by Government. The special mark

should be made at the first inspection station at which the passenger arrives. It is not necessary to punch his ticket again at any subsequent inspection station through which he may pass, but he must be medically examined nevertheless. Tickets of persons who come from an uninfected area, or who, though coming from an infected area, have been detained for ten days at one of the observation camps need not be so marked.

18. Care should be taken that the plague punches are not used except by responsible persons, and that they are kept in safe custody when not in use. The officers in charge of railway inspection stations will be held responsible for the safe custody of the plague punches, and under their orders the punches may be used by their assistants, but in no circumstances by the police. The wrong punching of tickets should be specially guarded against, as the annoyance caused thereby, and by the consequent liability to take out a passport, is very great.

19. The passport rules should be worked in such a manner as to cause the minimum of inconvenience to *gosha* women, and persons belonging to that class should, whenever it is possible to do so, be exempted from attendance at the hospital or elsewhere, and be inspected at their own houses. The examination of *gosha* women should always be conducted by females, who when not trained or duly qualified, should work under the instructions of the medical officer.

20. With a view to facilitate the working of the passport rules, railway employes holding periodical railway passes and Government officials holding standing passes should be required to provide themselves with exemption passes.

21. If a passenger from a plague-infected or notified area appears to be attempting to evade inspection either by alighting at a railway station short of that for which his ticket has been taken or of an inspection station, or by arriving otherwise than by train at or beyond an inspection station, he may be detained by the railway police or by any officer specially authorized in this behalf at the railway station at which he has alighted or arrived, and be forwarded or returned, as the case may be, to the inspection station by the same or next train proceeding thereto, and there handed over to the medical officer in charge. The railway fare of the person so detained and forwarded to the inspection station shall be paid by the passenger, and, if not paid, shall be recovered from him by the railway authorities as excess fare.

22. Special care should be taken to prevent evasion of the rules by passengers halting or re-booking at intermediate stations. If a passenger coming from a plague-infected area breaks his journey at any station short of

his destination, his ticket should nevertheless be punched, or if the station has not been supplied with a plague punch, the right hand lower corner of the ticket should be clipped with scissors. If a passenger coming from a plague-infected area alights at any station, he should be brought under the passport rules. If he announces his intention of re-booking within twelve hours, his new ticket shall be punched or clipped as above. If necessary, the powers conferred by the last preceding rule may also be employed, in the case of passengers whose conduct gives ground to suppose that they intend to evade rules, who should be watched.

23. Persons infringing these regulations render themselves liable to prosecution and punishment with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both, under section 188, Indian Penal Code.

24. The Plague Commissioner has the power to exempt, from the Exemption from rules requiring necessity of taking out passports or passes, the following classes of persons :—

- (1) Railway, Postal or other public servants of such grades as may, from time to time, be determined by him.
- (2) Any person with regard to whom there are no reasonable grounds for suspicion of infection.

25. Any person disobeying or contravening or refusing to submit himself to any regulation made under the Epidemic Diseases Act, 1897, or obstructing any measure which has been taken by Government, or which any authority, or officer appointed under competent authority to carry out such regulation, has been required or empowered to take under any such regulation, shall be deemed to have committed an offence punishable under section 188 of the Indian Penal Code, and shall be liable, on conviction, to imprisonment of either description for a term which may extend to six months or fine which may extend to one thousand rupees or both.

26. The plague regulations being orders formally made and issued by Government under the Epidemic Diseases Act, no sanction is required as a condition precedent to prosecution for disobeying them.

27. If the Police have reason to believe that a person is evading the plague regulations by giving a false name or a wrong address, they can act under section 57 of the Criminal Procedure Code, and detain the person until satisfied that they have got his true name and address. Failing information as to the person's true name and address or the execution of a bond, the Police should without delay forward him to a Magistrate.

Duties of the railway staff. 28. The following are the duties of the railway officials under the plague regulations:—

- (1) To see with the aid of the platform police that passengers alighting at a railway station do not leave the premises except by the proper exit.
- (2) To see that the railway tickets issued in an infected area, and the fresh tickets issued to persons from infected areas who re-book, are punched or clipped as prescribed.
- (3) To stop all passengers presenting plague punched tickets from infected or notified stations until their names and addresses have been taken down and they have been given passports either by the plague official appointed for the purpose or at smaller stations by the station staff themselves.
- (4) To detach and disinfect railway carriages in which persons suffering or suspected to be suffering from plague have travelled.
- (5) To take steps for tracing and destroying rats that may arrive from infected areas concealed in the goods imported.
- (6) To put up a notice in all railway carriages intimating that passengers from infected parts should take out passports at stations of destination.
- (7) To lock the carriages before the arrival of the train at the inspection station.
- (8) To detain the train until the medical inspection is over.
- (9) To see that no passenger is permitted to leave his carriage until the arrangements for his examination are complete.
- (10) To give every assistance to the medical and police officers conducting the inspection in order to minimise the detention of trains.
- (11) To carry out the instructions regarding the transmission of the names and addresses of passengers.
- (12) To afford every facility towards the working of the plague regulations generally.

29. (1) Persons, who hold certificates that they have been inoculated by M. Haffkine's process, shall be entitled to the following privileges provided that such certificates bear a date not earlier than six months and not later than ten days previously.

- (a) Unless suffering from, or suspected to be suffering from, plague, they shall not be liable to detention at any railway or road observation camp when travelling except for such period as may



The solution should be allowed to dry on the carriages. Special care must be taken to direct the solution into all the cracks and crevices and *dhilmils*.

(b) After disinfection, the carriages should be kept out in the open for forty-eight hours. They can then be brought into use again.

(c) In the case of first and second class carriages, which afford greater facilities than third class compartments for the harbouring of plague germs, it will be necessary if the carriages are contaminated to burn cushions and to disinfect the wood-work in the manner indicated above, and re-paint the interior.

(2) If a compartment has been used by a suspicious case of plague it shall be treated as directed in the preceding regulations. If of the third class its use may be permitted as soon as it is thoroughly dry; but if it be of the first or second class, it shall, after such disinfection, be kept locked and unused until the nature of the case be definitely ascertained, when the question as to whether or not the cushions be destroyed and further disinfection be effected, shall be decided in accordance with the preceding clause (a) (c) of this regulation.

### *Plague Inoculation (Royal Arms) Certificate.*

No.

Certified that

, father's

name

, resident of

street  
village

town  
, thana

district

, has been inoculated by me, and that

his thumb mark was at the time impressed before me.

Space left for thumb  
mark.

(Signed)

*Dated*



Reformatory Schools  
1897.

defining what  
offenders  
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No. 349, dated the 7th November 1901.—The Resident is pleased to make the following rules under section 8, clause 3 (a) and (b) of the Reformatory Schools Act, 1897 (VIII of 1897), as applied<sup>1</sup> to the Hyderabad Assigned Districts, the Hyderabad Residency Bazzars, the Hyderabad Contingent Stations of Aurangabad, Bolarum, \* \* and the railway lands<sup>2</sup> in the territories of His Highness the Nizam of Hyderabad \* \* :—

*Clause 3(a).*

1. No boy, except for special reasons, shall be sent to a Reformatory who—

(a) is less than ten years of age, or

(b) has been convicted of murder or of an offence punishable under section 376 or 377 of the Indian Penal Code, or

(c) is for the first time convicted of a minor offence, such as petty theft, and is under parental or other legal control.

*Clause 3(b).*

1. The period of detention in a Reformatory shall ordinarily not exceed five years.

[*Hyderabad Residency Orders, 1901, Pt. I, p. 323.*]

No. 1240, dated the 28th October 1898.—In exercise of the power conferred by section 15, sub-section (1), of the Reformatory Schools Act, 1897 (VIII of 1897), as applied<sup>1</sup> \* \* to the Hyderabad Assigned Districts, the Hyderabad Residency Bazzars, the Cantonment of Secunderabad, the Hyderabad Contingent Stations of Aurangabad, Bolarum, \* \* and the railway lands<sup>2</sup> in the territories of His Highness the Nizam of Hyderabad, the Governor-General in Council is pleased to direct that the Reformatory School at Yeroda in the Bombay Presidency shall be available for the reception of youthful offenders directed to be sent to the Reformatory School by any Court or Magistrate in the said areas.

[*Gazette of India, 1898, Pt. I, p. 1075.*]

No. 92-J, dated the 6th October 1908.—Under section 3 of the Lepers Act, 1898 (III of 1898), as applied<sup>2</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad \* \* the Resident is pleased to appoint a part of

<sup>1</sup> See now notification No. 562-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Includes the railway lands in Bazar.

<sup>3</sup> See now notification No. 652-I.B., dated the 22nd March 1913, which supersedes this first part of the notification. Printed Vol. I, p. 227.

the Leper Asylum at Chandkuri in the Drug District of the Central Provinces, maintained by the Mission to Lepers in India and the East, to be a Leper Asylum for the purposes of the Act as applied, and to specify the undermentioned local areas as those from which lepers may be sent to that Asylum :—

The Hyderabad Residency Bazaars and the Cantonments of Secunderabad and Aurangabad.

[*Hyderabad Residency Orders, 1908, Pt. I, p. 136.*]

*No. 95-J, dated the 6th October 1908.*—Under section 4 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to appoint the undermentioned Medical Officers to be Inspectors of Lepers for the areas specified against each :—

Inspectors of Lepers for Secunderabad, Aurangabad, and the Residency Bazaars

1. In the Cantonment of The Staff Surgeon, Secunderabad.  
Secunderabad.
2. In the Hyderabad Residency The Assistant Surgeon in subordinate medical charge of the Residency Hospital.  
Bazaars.
3. In the Cantonment of The Senior Medical Officer,  
Aurangabad.

[*Hyderabad Residency Orders, 1908, Pt. I, p. 136.*]

*No. 21, dated the 17th April 1903.*—Under section 9 of the Lepers Act, 1898 (III of 1898), as applied to the Hyderabad Assigned Districts and other areas<sup>1</sup> under this Administration \* \* the Resident is pleased to order that no leper shall, on or after the 1st May 1903, within the areas specified in Residency Orders notification<sup>2</sup> No. 19, dated the 17th April 1903 :—

Trades and acts prohibited to lepers in Secunderabad, Aurangabad and the Residency Bazaars.

- (a) personally prepare for sale or sell any article of food or drink or any drugs or clothing intended for human use : or
- (b) bathe, wash clothes or take water from any public well or tank debarred by any municipal or local bye-law from use by lepers : or

<sup>1</sup> For the Administered Areas see now notification No. 532-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Cancelled by notification No. 92-J., dated the 6th October 1908, printed *supra*, which specifies the same areas.

(c) drive, conduct, or ride in any public carriage plying for hire other than a railway carriage

[*Hyderabad Residency Orders, 1903, Pt. I, p. 131.*]

*No. 94 J., dated the 6th October 1908.*—Under section 15 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to appoint the Residency Surgeon at Hyderabad as the officer to whom appeals against the issue or refusal of a certificate shall be presented.

[*Hyderabad Residency Orders, 1908, Pt. I, p. 136.*]

*No. 93 J., dated the 6th October 1908.*—In exercise of the powers conferred by section 16 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to issue the following rules:—

1. When a Magistrate sends a leper to the Asylum under sections 8 and 10 he shall cause to be attached to the warrant of detention a descriptive roll containing the following particulars:—

- (1) Name.
- (2) Father's name.
- (3) Age, height and general appearance (including any distinguishing indelible marks).
- (4) Sex and civil condition.
- (5) Caste or religion.
- (6) Place of abode.
- (7) Occupation.
- (8) Family history if known.
- (9) List of property sent with him.

2. No Magistrate shall send a leper to the Asylum without first ascertaining from the Superintendent that accommodation is available.

[*Hyderabad Residency Orders, 1908, Pt. I, p. 136.*]

*No. 65, dated the 11th September 1905.*—It is hereby notified that the Resident is pleased to appoint the Apothecaries and Hospital Assistants in charge of the Railway Dispensaries at Manmad, Jalna, Purna, Lalaguda, Secunderabad and Kazipett to be Medical Officers to conduct *post mortem* examinations in cases on His Highness the Nizam's Guaranteed State Railways under paragraph 3, section 174, Criminal Procedure Code.

[*Hyderabad Residency Orders, 1905, Pt. I, p. 150.*]

<sup>1</sup> See notification No. 642-I.D., dated the 22nd March 1913. Printed Vol. I, p. 227.

*No. 67, dated the 14th September 1905.*—In continuation of notification No. 65<sup>1</sup>, dated the 11th September 1905, it is further notified that, with the concurrence of His Highness the Nizam's Government, the Resident is pleased to appoint the Medical Officer in charge of the Civil Dispensary at Wadi to be the Officer to conduct *post mortem* examinations in cases of deaths occurring on the Great Indian Peninsula and Madras Railways in His Highness' territory. *Post mortem examinations in cases occurring in the railway lands*

[*Hyderabad Residency Orders, 1905, Pt. I, p. 151.*]

*No. 7, dated the 15th April 1890.*—With reference to section 3 (8) of the Indian Stamp Act (I of 1879)<sup>2</sup> as applied to the Hyderabad Residency Bazar \* \* the Resident at Hyderabad is pleased to appoint the officer for the time being holding the appointment of Superintendent of the Residency Bazar to be the Collector within the limits of the Bazar for the purposes of the said Act with effect from the 1st October 1879. *Indian Stamp Act, 1899. Appointment of Collector in the Residency Bazar.*

[*Hyderabad Residency Order, 1890, Pt. I, p. 78.*]

*No. 51-I.B., dated the 7th January 1910.*—In exercise of the powers conferred by section 9, clause (a) of the Indian Stamp Act, 1899 (II of 1899), as applied<sup>3</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad (hereinafter referred to as the said areas), and in supersession of all previous notifications issued from time to time under the said clause of the said section, the Governor-General in Council is pleased to reduce to the extent set forth in each case, the duties chargeable under the said Act as so applied in respect of the instruments hereinafter described under Nos. 20 and 25 and to remit the duties so chargeable in respect of instruments of the other classes hereinafter described :— *Reduction and remission of duties in the Administered Areas*

#### *A.—Forest Department.*

1. Agreement and security bond required to be executed, under the rules to regulate the training and appointments in the Subordinate Forest Service, by a student and his surety previous to his entry into the Imperial Forest School, Dehra Dun, or the Burma Forest School, Tharrawaddy.

#### *B.—Medical Department.*

2. Security bond taken under the authority of the Government from a medical student of the Apothecary, Assistant Surgeon, or Hospital Assistant class, and his surety, or from the surety of such a student.

#### *C.—Post Office and Telegraph Department.*

3. Letter which a person depositing money in a Post Office Savings Bank, as security to the Government or to a local authority for the due

<sup>1</sup> Printed p. 110 *supra*.

<sup>2</sup> See now the Indian Stamp Act, 1899 (II of 1899), as applied by notification No. 552-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227

<sup>3</sup> See footnote 2 *supra*.

(c) drive, conduct, or ride in any public carriage plying for hire other than a railway carriage

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 131.]

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No. 94 J., dated the 6th October 1908.—Under section 15 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to appoint the Residency Surgeon at Hyderabad as the officer to whom appeals against the issue or refusal of a certificate shall be presented.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

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No. 93 J., dated the 6th October 1908.—In exercise of the powers conferred by section 16 of the Lepers Act, 1898 (III of 1898), as applied<sup>1</sup> to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased to issue the following rules:—

1. When a Magistrate sends a leper to the Asylum under sections 8 and 10 he shall cause to be attached to the warrant of detention a descriptive roll containing the following particulars:—

- (1) Name.
- (2) Father's name.
- (3) Age, height and general appearance (including any distinguishing indelible marks).
- (4) Sex and civil condition.
- (5) Caste or religion.
- (6) Place of abode.
- (7) Occupation.
- (8) Family history if known.
- (9) List of property sent with him.

2. No Magistrate shall send a leper to the Asylum without first ascertaining from the Superintendent that accommodation is available.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 136.]

No. 65, dated the 11th September 1905.—It is hereby notified that the Resident is pleased to appoint the Apothecaries and Hospital Assistants in charge of the Railway Dispensaries at Manmad, Jalna, Purna, Lalaguda, Secunderabad and Kazipett to be Medical Officers to conduct *post mortem* examinations in cases on His Highness the Nizam's Guaranteed State Railways under paragraph 3, section 174, Criminal Procedure Code.

[*Hyderabad Residency Orders*, 1905, Pt. I, p. 150.]

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the railway lands.

*E.—Government Officers and Contractors.*

14. Agreement paper passed by a contractor of the Supply and Transport Corps when his security deposit is transferred to a Post Office Savings Bank.

15. Instrument in the nature of a memorandum or agreement furnished to, or made or entered into with, a Supply and Transport Officer by a contractor.

16. Agreement or declaration by which a tender made to a Supply and Transport Officer is accepted as a contract, where the deposit of the contractor as security for his contract is made in Government of India Promissory Notes or in cash.

17. Instrument in the nature of a memorandum, <sup>1</sup>[agreement or security bond] furnished to, or made or entered into with the Ordnance Department, the Army Clothing Department, the Forest Department, or the Public Works or State Railway Department by a contractor for the due performance of his contracts.

18. Mortgage deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

19. Instrument of reconveyance of mortgaged property executed by Government in favour of an officer in Civil or Military employ on the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

20. Agreement which has been or may be entered into in compliance with the rules prescribed by the resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts, dated the 25th October 1907, *regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force.* Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs5 whichever shall be less.

*F.—Other Documents.*

21. Bill of exchange drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the said areas.

22. Cheque drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the said areas.

23. Receipt given for payment of interest on Government of India Promissory Notes.

<sup>1</sup> See notification No. 2601-I B, dated the 19th December 1912. *Gazette of India*, 1912, Pt. I. p. 1656

execution of an office or for the fulfilment of a contract or for any other purpose, is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon.

4. Receipt given by, or on behalf of, a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such bank.

5. Receipt endorsed by the payee on a Postal Money Order.

6. Receipt given by the addressee for a deposit exceeding twenty rupees made for the payment of a reply to a telegraphia message.

*D.—Railways and Inland Steamer Companies.*

7. Agreement made with a Railway Company or Administration or an Inland Steamer Company for the conveyance of goods.

8. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a passenger permitted to travel without payment of fare indemnifying such authority or Company from any claim for damages in case of accident or injury.

9. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a consignee (when the railway receipt or bill of lading is not produced) in respect of the delivery of articles carried at half parcels rates or at goods rates, namely, fresh fish, fruits, vegetables, bazar baskets, bread, meat, ice, and other perishable articles.

10. Agreement made with a Railway Company or Administration which purports to limit the responsibility of the Company or Administration as declared by the Indian Railways Act, 1890 (IX of 1890), section 72, sub-section (1), and is in a form approved by the Governor-General in Council under sub-section (2) of that section.

11. Receipt or bill of lading issued by a Railway Company or Administration or an Inland Steamer Company for the fare for the conveyance of passengers or goods, or both, or animals, or given to such Company of Administration or Inland Steamer Company for the refund of an overcharge made in respect of such fare.

12. Receipt given by, or on behalf of, a depositor in State Railway Provident Institution or in the East Indian Railway Savings Bank for a sum of money withdrawn from any such institution or bank.

13. Debenture bond of the loan of Rs20,00,000 raised by the Government of His Highness the Maharaja of Mysore for the construction of a line of railway from Bangalore to Tiptoor, where the said bond is negotiated in the said areas.

<sup>1</sup> 11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor-General in Council exercises jurisdiction.

[*Gazette of India*, 1910, Pt. I, p. 35.]

No. 2033-I., dated the 18th May 1892.—In exercise of the powers conferred by <sup>2</sup> section 8 of the Indian Stamp Act (I of 1879), as applied <sup>2</sup> to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that the provisions of the notification of the Government of India in the Finance Department, <sup>3</sup> No. 1345, dated the 19th October 1891, shall apply to the Cantonment of Secunderabad, subject to the following modifications:—

[Remission of duty on copies of entries in registers and records under the Births, Deaths and Marriages Registration Act, 1888, given to a soldier, sailor, non-commissioned officer or petty officer]

### No. 42.

Page 116.—After notification No. 51-I.B., dated the 7th January 1910 insert the following:—

No. 1983-I.B., dated the 19th September 1914.—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), as applied to the Administered Areas in the Hyderabad State, the Governor-General in Council is pleased to remit, with effect from the 15th August 1914, the duty chargeable under Article 40, clause (6), of schedule I of the said Act, as so applied, on mortgage deeds executed by an officer of Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing a motor car for his own use.

[Remission of duty on copies of entries in registers and records under the Births, Deaths and Marriages Registration Act, 1888, given to a soldier, sailor, non-commissioned officer or petty officer]

[*Gazette of India*, 1914, Part I, p. 1466.]

and Commerce, shall apply to the Hyderabad Residency Bazaars.

[*Gazette of India*, 1894, Pt. I, p. 298.]

No. 1246-I., dated the 19th March 1891.—In exercise of the power conferred by <sup>4</sup> section 9 of the Indian Stamp Act, I of 1879, as applied to the Cantonment of Secunderabad \* \* and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification <sup>5</sup> No. 2036, dated the 30th June 1882, issued by the Department of Finance and Commerce under the aforesaid section, shall apply to the aforesaid Cantonment from the <sup>6</sup> [1st September 1891].

[*Gazette of India*, 1891, Pt. I, p. 149.]

<sup>1</sup> See notification No. 2601-I.B., dated the 19th December 1912. *Gazette of India*, 1912, Pt. I, p. 1686.

<sup>2</sup> See now section 9 of the Indian Stamp Act, 1899, as applied by notification No. 582-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227

<sup>3</sup> *Gazette of India*, 1891, Pt. I, p. 602.

<sup>4</sup> See now section 10 of the Indian Stamp Act, 1899, as applied by notification No. 582-I.B., dated the 22nd March 1913. Printed Vol. I, p. 227

<sup>5</sup> *Gazette of India*, 1882, Pt. I, p. 257

<sup>6</sup> Substituted by notification No. 3344-I., dated the 13th August 1891.



24. Letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give on behalf of the other or others of them or any one or more of them, a discharge for interest payable on such security or on any renewed security issued in lieu thereof.

25. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article 13 (b) of Schedule I of the Stamp Act, 1899, for the amount secured, if such loan or debt is repayable on demand or more than three months from the date of the instrument; and to half that amount, if such loan or debt is repayable not more than three months from the date of the instrument.

26. Instrument executed in the areas mentioned in the Schedule hereto attached in respect of which the stamp duty with which it is chargeable under the stamp law for the time being in force in such areas has been paid in accordance with the said law :—

## SCHEDULE.

### *Areas.*

1. British India.
2. Agency territories in Baluchistan.
3. Abu and Anadra including the road leading from the Abu Sanitarium to the Abu Road Railway Station and to the Bazar at Kharari.
4. The Cantonments of Mhow, Neemuch, Nowgong (including the Civil Lines) [and Sehore] in the Central India Agency, and of [Baroda and Deesa].
5. The Indore Residency Bazars
6. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor-General in Council exercises jurisdiction.
7. Berar.
8. The Civil and Military Station of Bangalore.
9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction.
10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

<sup>1</sup> See notification No. 2601-I B., dated the 19th December 1912 *Gazette of India*, 1912, Pt. I, p. 1686.

2. All references to the Local Government shall be read as referring to the Resident at Hyderabad, and all references to British India shall be read as referring to the areas to which the provisions of the said notification are hereby applied.

3. For clause (b) of sub-rule (1) of rule 3, the following shall be substituted, namely: "(b) A hundi for an amount exceeding rupees thirty thousand in value or payable not more than one year after date or sight, shall be written on paper, supplied for sale by the Government, to which a label has been affixed by the Superintendent of Stamps at Hyderabad and impressed by him in the manner hereinafter prescribed by rule 10."

4. In rule 5, after the word "Act," the words and figures "and rule 12" shall be inserted.

5. For rule 7 the following shall be substituted, namely:—

"7. The duty payable on any instrument which is chargeable with a duty of one anna under the Act One anna impressed stamps. [or of two annas under articles 5 and 43 of Schedule I thereof] may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps, Hyderabad."

6. For rule 8 the following shall be substituted, namely:—

"8. The Superintendent of Stamps, Hyderabad, is empowered to affix and impress labels and shall be 'the proper officer' for the purposes of the Act and these rules."

7. For rule (3) of rule 10 the following shall be substituted,

"The principal assistant of the proper officer, if empowered by the Superintendent of Stamps at Hyderabad in this behalf, may discharge the duties of the proper officer, under sub-section (2) of this rule." In rule 11] the words "unless he is himself the proper officer" shall be substituted, namely:—

"Instruments may be stamped with adhesive stamps, and may be payable otherwise than on demand and drawn for any amount of duty does not exceed one anna for

Stamp duty on certified copies or extracts of baptismal, marriage and burial certificates to be denoted by adhesive court fee labels in the Residency Bazars.

No. 1835-I., dated the 30th May 1894.—In exercise of the powers conferred by section 9 of the Indian Stamp Act (I of 1879), as applied to the Hyderabad Residency Bazars, \* \* the Governor-General in Council is pleased to direct that the provisions (so far as they may be applicable) of the notification<sup>2</sup> No. 2036, dated the 30th June 1882, issued by the Government of India in the Department of Finance and Commerce under the aforesaid section, shall apply to the aforesaid Hyderabad Residency Bazars.

[Gazette of India, 1894, Pt. I, p. 297.]

Rate of exchange between British and Hyderabad Currency for calculation of Stamp duty.

No. 2993-Exc., dated the 21st May 1908.—In exercise of the powers conferred by section 20, sub-section (2) of the Indian Stamp Act, 1899 (II of 1899), as applied to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to prescribe that, with effect from the 1st June 1908, and until further notice, one hundred rupees of the currency of British India shall be convertible into one hundred and sixteen Hali Sikka rupees for the purpose of calculating stamp duty.

[Gazette of India, 1908, Pt. I, p. 459.]

Rules as to a) the rates for the conversion of British and Foreign currency into Hali Currency calculation duty (b) impressed adhesive

No. 943-I.B., dated the 19th May 1910.—In exercise of the powers conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to the

## No. 43.

Page 116.—Substitute the following for notification No. 943-I. B., dated the 19th May 1910:—

No. 2189-I.B., dated the 8th October 1914.—In exercise of the power conferred by the Indian Stamp Act, 1899 (II of 1899), as applied<sup>3</sup> to the administered areas in the Hyderabad State, and in supersession of the notification of the Government of India in the Foreign Department, No. 943 I.B. dated the 19th May 1910, as subsequently amended, the Governor General in Council is pleased to direct that the provisions of the notification of the Government of India in the Finance and Commerce Department,<sup>4</sup> No. 1281-S. R., dated the 17th March 1899, shall apply to the said areas, and that the provisions of the notification of the Government of India in the Finance Department,<sup>5</sup> No. 1140-F., dated 14th August, 1914, shall also apply to the said areas, subject to the following modifications, namely:—

1. For the purpose of facilitating the application of the provisions of the said notification any Court having jurisdiction within the areas to which they are hereby applied, may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court.

2. All references to the Local Government shall be read as referring to the Resident at Hyderabad, and all references to British India shall be read as referring to the areas to which the provisions of the said notification are hereby applied.

3. Rule 15 and clause (c) of rule 17 shall be omitted.

## PART I.

## PRELIMINARY.

## Definitions

## I. In these rules,—

- (a) "Part" means a Part of these rules;
- (b) "certificated petroleum" means petroleum certified to be non-dangerous petroleum by a certificate of such description as the Resident may, from time to time, by written order, prescribe, granted at the port of shipment;
- (c) "petroleum in bulk" means petroleum in quantities exceeding five hundred gallons, contained in any one receptacle;
- (d) "installation" means a place specially prepared for the storage of petroleum in bulk, or for bulk combined with non-bulk storage, and may be either a major or a minor installation;
- (e) "major installation" means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, exceeding fifty thousand gallons, or
  - (2) in which tin-making operations are carried on;
- (f) "minor installation" means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, not exceeding fifty thousand gallons, and
  - (2) in which no tin-making operations are carried on;
- (g) "storage shed" means a building used for the storage of petroleum otherwise than in bulk, and may or may not form part of an installation;
- (h) "protected work" includes buildings in which persons dwell or assemble, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Resident may by notification declare as such;
- (i) "testing officer" means the testing officer appointed by the Resident under section 10 of the Act for any port at which petroleum may be imported under these rules;
- (j) "motor-vehicle" means any vehicle or vessel propelled by a motor, in which petroleum is used as fuel; and
- (k) "owner," as applied to a motor-vehicle, includes a person who hires or is otherwise entitled for the time being to use or work a motor-vehicle.

- (b) Transfers of debentures of Public Companies and Associations.  
 (c) Copies of maps and plans and printed copies when chargeable with stamp duty under Article 24 of Schedule I of the Act.  
 (d) Instruments chargeable with stamp duty under Articles 5 and 43 of Schedule I of the Act, when the amount of duty does not exceed two annas."

110. For rule 15, clause (b), the following shall be substituted, namely:—

"(b) Transfers of shares and debentures of Public Companies and Associations shall be stamped with adhesive stamps bearing the words "Share Transfer."

11. Clause (c) of rule 15 shall be omitted.

112. In rule 15, clause (c), after the word "plans," the words "and printed copies" shall be inserted.

113. After entry (g) in Appendix A to the rules, the following shall be added, namely:—

"(r) Note or memorandum when the duty payable exceeds two annas ... 43(b)."

[*Gazette of India*, 1910, Pt. I, p. 396.]

No. 46, dated the 3rd August 1901.—Printed *supra* p. 8.

Payment in local  
currency for stamps  
and stamped papers.

First Assistant  
Resident appointed  
Inspector-General  
of Stamps.

No. 4, dated the 16th January 1904.—It is hereby notified that the Resident at Hyderabad has appointed, with effect from 1st October, 1903, the First Assistant to the Resident at Hyderabad for the time being to be the Inspector-General of Stamps for the Hyderabad Residency Bazzars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* in place of the Inspector-General of Stamps, Hyderabad Assigned Districts.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 58.]

Indian Petroleum  
Act, 1899.

Rules to regulate the  
possession and trans-  
port of petroleum.

No. 38, dated the 29th June 1900.—It exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazzars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \*, and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to make \* \* \* the following rules to regulate the grant of licences to possess or transport petroleum within the afore-said areas.

8. Any officer appointed by the Resident in this behalf may enter any installation for the purpose of testing the efficiency of the conductor, at any time after sunrise and before sunset.

Official testing of lightning-conductor

9. No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted between sunset and sunrise: provided that in cases where electric lighting is exclusively used, night working may be permitted by the Resident on the recommendation of the Chief Inspector of Explosives.

Time for work in installations or storage sheds.

10. Where there are any pipes or openings for draining out water in any enclosure wall, arrangements shall be made whereby they can be closed, and they shall only be kept open when actually necessary for drainage purposes. The nature of such arrangements shall be shown in the specifications which are required under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

Closure of pipes and openings.

Material for storage sheds

11. All storage sheds in an installation shall be built of unflammable material

12. There shall be hung up in a conspicuous place in every installation and storage shed for which a license has been granted, copies of the rules contained in this Chapter, and of the conditions endorsed on the license.

Posting up of rules and conditions.

## CHAPTER II—TRANSPORT OF PETROLEUM

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13. Petroleum may be transported into and within the areas under the Resident at Hyderabad under cover of a license granted by the prescribed authority in any other province of British India, or in any area outside British India, to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed, throughout the period, during which the petroleum is in transit.

Validity of license granted in another province

\* \* \* \* \*

## CHAPTER III.—GENERAL PROVISIONS RELATIVE TO LICENSES.

Applications for licenses.

1. All applications for licenses for the possession or transport of petroleum shall be made to the District Magistrate.

## PART II.

## POSSESSION AND TRANSPORT OF PETROLEUM.

## CHAPTER I.—POSSESSION OF PETROLEUM.

Smoking prohibited.

1. No smoking shall be permitted inside any installation or storage shed.

Supervision of operations within installation or storage shed.

2. All operations within any installation or storage shed shall be conducted under the supervision of a responsible agent or supervisor.

3. The ground in the interior of an installation shall be kept clean and free from goods of a combustible nature, vegetation and rubbish.

Cleanliness of installation.

Supply of sand or dry earth in installation.

4. A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire.

5. The capacity in gallons of every tank in an installation shall be conspicuously marked on it, and shall be calculated at the rate of 6.25 gallons per cubic foot.

Marking of capacity of tanks.

6. Every tank or other receptacle for the storage of petroleum in bulk except a tank or receptacle which is not of sufficient capacity to contain ten thousand

Protection from lightning.

gallons of petroleum and which is so situated as not to be liable to cause danger in the event of the petroleum being ignited, shall be protected by an efficient lightning-conductor.

*Explanation*—A tank or receptacle shall be deemed to be so situated as not to be liable to cause danger in the event of the petroleum being ignited, if it is not in close proximity to any other tank or receptacle, or to any building not forming part of the installation, and if it is surrounded by a wall, or embankment, or sunk in an excavation, the enclosure thus formed being sufficient to contain the whole contents of the tank or receptacle.

7. Not less than once in every year the licensee of an installation shall

Testing of lightning-conductor by licensee.

test or cause to be tested the efficiency of the conductor in such manner as the Chief

Inspector of Explosives may, by general or special order, declare to be sufficient, and a certificate showing the date of the last test shall be posted in a conspicuous place within the installation.

<sup>1</sup> [Provided also that in the case of installations or storage sheds intended for the storage of petroleum which has a flash point above 150° F. the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendation of the Chief Inspector of Explosives.]

6. (1) Every application for the renewal of a license shall be made in the same manner as an application for an original license.

Renewal of licenses.

(2) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority issues the renewed license, or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of license as for a new license.

7. When any license is granted for the possession or transport of petroleum a copy of the rules contained in Chapter I of this Part in the case of a license for possession, and of those contained in Chapter II of this Part in the case of a license for transport, shall be given, together with the license, to the licensee.

Supply of rules to licensee.

8. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such license shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

Procedure on death or disability of licensee.

9. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

Loss of license.

#### CHAPTER IV.—LICENSES FOR THE POSSESSION OF PETROLEUM.

1. Every license for the possession of petroleum shall remain in force until the 31st of December next following the date of issue of the license.

Continuance of license.

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<sup>1</sup> Inserted by notification No. 71-J, dated the 18th July 1910. *Hyderabad Residency Orders*, 1910, Pt I, p. 117.



Licensing authority.

## 2. Licenses—

- (a) for the possession of non-dangerous petroleum, not being petroleum in bulk,
- (b) for the possession of non-dangerous petroleum in a minor installation,
- (c) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and
- (d) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by a District Magistrate, or by such other authority as the Resident may, from time to time, by order in writing, appoint in this behalf. In all other cases the licensing authority shall be the Resident :

Provided that in the case of renewals of existing licenses the Resident may delegate his powers under this rule to the District Magistrate or to such other authority as the Resident may, from time to time, by an order in writing, appoint in this behalf.

3. The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case :

Refusal of license.

Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtained his concurrence.

4. Every license, granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing.

Forfeiture of license

5. Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules :

Particulars of license.

Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives.

<sup>1</sup> [Provided also that in the case of installations or storage sheds intended for the storage of petroleum which has a flash point above 150° F. the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendation of the Chief Inspector of Explosives.]

6. (1) Every application for the renewal of a license shall be made in the same manner as an application for an original license.

Renewal of license.

(2) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority issues the renewed license, or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of license as for a new license.

7. When any license is granted for the possession or transport of petroleum a copy of the rules contained in Chapter I of this Part in the case of a license for possession, and of those contained in Chapter II of this Part in the case of a license for transport, shall be given, together with the license, to the licensee.

Supply of rules to licensee.

8. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such license shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

Procedure on death or disability of licensee.

9. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

Loss of license.

#### CHAPTER IV.—LICENSES FOR THE POSSESSION OF PETROLEUM.

1. Every license for the possession of petroleum shall remain in force until the 31st of December next following the date of issue of the license.

Continuance of license.

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<sup>1</sup> Inserted by notification No. 71-J., dated the 18th July 1910. *Hyderabad Residency Orders*, 1910, Pt I, p. 117.

Petroleum not in bulk, other than dangerous petroleum.

3. Licenses for the possession of dangerous petroleum not in bulk.

Dangerous petroleum not exceeding forty gallons.

5. (1) The holder of a license in Forms A, B or C, may, at any time before the expiry of the license, apply for permission to transfer his license to another person.

(2) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.

(3) A fee of Re. 1 shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

6. Special licenses for the possession of dangerous petroleum in receptacles containing more than forty gallons each, but not more than five hundred gallons each, may be granted on such terms as the Resident may prescribe on the recommendation of the Chief Inspector of Explosives

7. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Resident, on the recommendation of the Chief Inspector of Explosives, may, from time to time, by general or special order, approve, may be granted in Form D.

8. License for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations, in accordance with such specifications and plans as the Chief Inspector of Explosives may, from time to time, by general or special order, approve, may be granted in Form E.

9. (1) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein.

Dangerous petroleum for use on motor-vehicles.

(2) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles, save in so far as these provisions are varied by the conditions of the license.

Particulars to be given in applications for licenses, for the possession of petroleum other than licenses under rules 4 and 9.

10. Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify—

- (a) the description and quantity of petroleum which the applicant desires to keep,
- (b) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,
- (c) the amount of petroleum, if any, already licensed to be kept on the same premises.

If the application be made, for the first time in respect of any major or minor installation or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale.

11. Before petroleum is stored in any major or minor installation for

which a license has been granted for the first time, a certificate shall be furnished to

the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an Engineer accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

Particulars to be given in applications for licenses under rules 4 and 9.

12. Every application for a license under rules 4 and 9 of this Chapter shall specify—

- (a) whether the applicant is the owner of a motor-vehicle,
- (b) the amount of dangerous petroleum the applicant desires to store,

Petroleum not in bulk, other than dangerous petroleum.

2. Licenses for the possession of petroleum, not being dangerous petroleum, otherwise than in bulk, may be granted in Form A.

3. Licenses for the possession of dangerous petroleum, not in bulk, in quantity exceeding forty gallons may be granted in Form B.

Dangerous petroleum not exceeding forty gallons.

4. Licenses for the possession of dangerous petroleum in quantity not exceeding forty gallons may be granted in Form C.

5. (1) The holder of a license in Forms A, B or C, may, at any time before the expiry of the license, apply for permission to transfer his license to another person.

(2) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.

(3) A fee of Rs. 1 shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

6. Special licenses for the possession of dangerous petroleum in receptacles containing more than forty gallons, but not more than five hundred gallons each, may be granted on such terms as the Resident may prescribe on the recommendation of the Chief Inspector of Explosives.

7. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Resident, on the recommendation of the Chief Inspector of Explosives, may, from time to time, by general or special order, approve, may be granted in Form D.

8. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations, in accordance with such specifications and plans as the Chief Inspector of Explosives may, from time to time, by general or special order, approve, may be granted in Form E.

9. (1) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein.

Dangerous petroleum for use on motor-vehicles.

(2) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles, save in so far as these provisions are varied by the conditions of the license.

Particulars to be given in applications for licenses, for the possession of petroleum other than licenses under rules 4 and 9.

10. Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify—

- (a) the description and quantity of petroleum which the applicant desires to keep,
- (b) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,
- (c) the amount of petroleum, if any, already licensed to be kept on the same premises.

If the application be made for the first time in respect of any major or minor installation or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale.

11. Before petroleum is stored in any major or minor installation for which a license has been granted for the first time, a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an Engineer accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

Particulars to be given in applications for licenses under rules 4 and 9

12. Every application for a license under rules 1 and 9 of this Chapter shall specify—

- (a) whether the applicant is the owner of a motor-vehicle,
- (b) the amount of dangerous petroleum the applicant desires to store,

- (c) the exact position and nature of the premises intended to be used for the storage of such dangerous petroleum, and whether the said premises fulfil the conditions prescribed—by Form C or Form E, as the case may be.

## CHAPTER V. —LICENSES FOR THE TRANSPORT OF PETROLEUM.

General licenses for the transport of non-dangerous petroleum.

1. General licenses for the transport of petroleum, other than dangerous petroleum, may be granted for a period of twelve months in Form G.

General licenses for the transport of dangerous petroleum.

2. General licenses for the transport of dangerous petroleum otherwise than in bulk may be granted for a period of twelve months in Form H.

3. Licenses granted under rules 1, 2 and 9 of this Chapter may authorise the holders to transport petroleum without restriction as to destination or total quantity.

4. The holder of a general license granted under rules 1, 2 or 9 of this Chapter shall, with each consignment of petroleum conveyed under cover of his license, issue to the person who takes charge of the petroleum for the purpose of transporting it, a numbered pass in Form I.

Pass for transport of petroleum.

Special licenses for the transport of petroleum other than dangerous petroleum.

5. Special licenses may be granted for the transport of petroleum, other than dangerous petroleum, in quantities exceeding five hundred gallons, in Form J.

Special licenses for the transport of dangerous petroleum

6. Special licenses may be granted for the transport of dangerous petroleum other than in bulk in Form K.

7. A special license granted under rules 5 and 6 shall only cover the transport of the particular consignment entered in the license, and shall be valid for such period as may be entered in it.

Effect of special license.

8. Applications for special licenses for the transport of petroleum by rail, by road, by steamer or by barge, or by two or more of these modes of conveyance, shall specify the description and quantity of petroleum to be transported, and the places from and to which, respectively, the petroleum is to be conveyed, and shall describe the receptacles in which

Particulars to be given in applications for special licenses.

it is to be contained, or, in the case of petroleum to be transported in bulk by water, shall state that the ship in which it is to be carried has been certified as required by rule 1, Chapter II of this Part.

9. General licenses in Form L to transport dangerous petroleum up to a maximum of sixty gallons at a time, otherwise than on a motor-vehicle, may be granted for a period of twelve months to owners of motor-vehicles holding licenses under rule 9, sub-rule (1) of Chapter IV of this Part, to possess petroleum and use or transport it on a motor-vehicle.

Transport of dangerous petroleum by motorists otherwise than on a motor-vehicle.

#### CHAPTER VI.—FEES.

1. (1) Where the proceeds of fees leviable for licenses under these rules have been assigned by the Resident to any local authority, the fees shall be levied in such manner as the local authority may from time to time direct.

(2) In all other cases the fees shall be paid in cash on receipt of a notice from the licensing authority that a license will be granted.

(3) The court-fee stamp of the value of eight annas representing the fee chargeable under schedule II, article 1 (b) of the Court Fees Act on an application for a license presented to a Magistrate should be attached to the application.

Fees for licenses for possession of petroleum.

2. The following fees shall be charged for licenses for the possession of petroleum, namely :—

##### *Non-dangerous petroleum.*

Rs

(a) When the quantity to be stored exceeds 12 five hundred but does not exceed one thousand gallons.

(b) When the quantity to be stored exceeds 12 one thousand but does not exceed five thousand gallons. for the first one thousand gallons plus Rs 12 for every additional one thousand gallons or part thereof.



- |   | Rs.   |
|---|---|
| (c) When the quantity to be stored exceeds five thousand gallons, but does not exceed fifty thousand gallons. | 20 for the first five thousand gallons <i>plus</i> Rs. 4 for every additional one thousand gallons or part thereof. |
| (d) When the quantity to be stored exceeds fifty thousand gallons.  | 250   |

*Dangerous petroleum.*

- |   | Rs.   |
|---|---|
| (e) When the quantity to be stored does not exceed forty gallons.                                   | 3   |
| (f) When the quantity to be stored exceeds forty gallons, but does not exceed five hundred gallons. | 8   |
| (g) When the quantity to be stored exceeds five hundred gallons.                                    | the same fees as those laid down for non-dangerous petroleum. |

Fees for license for transport of petroleum.

3. The following fees shall be charged for license for the transport of petroleum.

*Non-dangerous petroleum*

*Special license—*

- |   | Rs. |
|---|-----|
| (a) When the quantity to be transported exceeds five hundred but does not exceed five thousand gallons. | 1   |
| (b) For every additional five thousand gallons or part of five thousand gallons.                        | 1   |
- General license for the transport of non-dangerous petroleum by rail, by road, or by water for twelve months.*

*Dangerous petroleum*

*Special license—*

- |  | Rs. |
|--|-----|
| (c) When the quantity to be transported does not exceed fifty gallons. | 2   |

(ii) When the quantity to be transported exceeds forty gallons but does not exceed four hundred and eighty gallons. Rs. 2 for the first forty gallons *plus* 8 annas for every additional forty gallons or part thereof.

(iii) When the quantity to be transported exceeds four hundred and eighty gallons. Rs. 8 for the first four hundred and eighty gallons; *plus* Rs. 2 for every additional four hundred and eighty gallons or part thereof.

*General license* for the transport of dangerous petroleum by the owner of a motor-vehicle by road, rail or water, up to a maximum of sixty gallons at a time. 5

*General license* for the transport of dangerous petroleum by dealers by rail, road or water. 50

1. A fee of one rupee shall be charged for a new license for the unexpired portion of an original license granted to any person applying for the same in accordance with the provisions of rule 3 of Chapter III of this Part

Fee for license granted for unexpired portion of an original license

5. A fee of eight annas shall be charged for a duplicate of a license granted in accordance with the provisions of rule 3 of Chapter III of this Part.

Fee for duplicate licenses

#### FORM A.

#### (Rule 2 of Chapter IV of Part II)

License to possess petroleum (other than dangerous petroleum), otherwise than in bulk

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage, in the storage shed described below, of \_\_\_\_\_ gallons of petroleum, subject to the rules for the storage of petroleum published in notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

*District Magistrate or authority appointed under rule 2 of Chapter III of Part II.*

The

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[ Description of the storage shed above referred to ]

## ENDORSEMENT ON FORM A.

## CONDITIONS OF THE LICENSE.

If the licensing officer call on the holder of a license, by a notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The storage shed shall be constructed of masonry or other unflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors, but the beams, rafters, columns, windows and doors may be of wood.

3. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 10,000 gallons the height or depth shall be 3 feet.

A combination of these methods is permissible.

4. [The following distances round the building shall be kept clear of protected works] :—

Distances to be kept clear round buildings or enclosure walls.	Number of gallons to be stored.
None . . . . .	5,000 and under
20 feet . . . . .	over 5,000 and up to 50,000
30 „ . . . . .	Unlimited

5. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted within the storage shed.

## FORM B.

*(Rule 3 of Chapter IV of Part II.)*

License to possess dangerous petroleum, otherwise than in bulk, in quantity exceeding forty gallons.

No.	Fee, Rs.
License is hereby granted to _____ for the storage, in the storage shed described below, of _____ gallons of dangerous petroleum, subject to the	

<sup>1</sup> Substituted by notification No. 71-J., dated the 6th August 1912. *Hyderabad Residency orders*, 1912, Pt. I, p. 110.

rules for the storage of petroleum published in notification No. dated \_\_\_\_\_, and to the further conditions on the back of this license.

*Resident at Hyderabad.*

*The*

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[Description of the storage shed above referred to]

## ENDORSEMENT ON FORM B.

### CONDITIONS OF LICENSE.

1. If the licensing officer call upon the holder of a license, by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum, except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanised sheet iron, steel or lead plate receptacles containing each not more than forty gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch; provided that wood case shall not be necessary when the receptacles are made of tinned or galvanised sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. The receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed shall be constructed of masonry or other nonflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors.

9. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet.

A combination of these methods is permissible.

10. All ventilating openings in storage shed shall be protected by strong wire gauze.

11. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

12. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

13. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary, and shall prevent any other person from doing such act.

14. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

15. The following distances shall be kept clear from protected works round the storage shed :—

Quantity to be stored.	Distances to be kept clear.
Not exceeding 500 gallons . . . . .	20 feet.
From 500 to 1,000 „ . . . . .	25 „
„ 1,000 to 5,000 „ . . . . .	30 „
„ 5,000 to 15,000 „ . . . . .	40 „
„ 15,000 to 25,000 „ . . . . .	50 „
„ 25,000 to 35,000 „ . . . . .	60 „
„ 35,000 to 50,000 „ . . . . .	70 „
„ 50,000 and over „ . . . . .	100 „

Provided that these distances may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided, or other special precautions taken, or where there are special circumstances that in the opinion of the Chief Inspector of Explosives warrant the reduction.

16. Provided that when the quantity to be possessed does not exceed sixty gallons the provisions of conditions 8, 9 and 15 shall not apply, but the licensee shall observe the following conditions :—

- (i) The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material, provided, however, that the doors and windows may be of wood.
- (ii) Where a storage shed forms part of or is attached to another building and when the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling house or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

17. The storage shed shall be liable to inspection by an officer not being of lower rank than <sup>1</sup> [a Sub-Inspector of Police] authorised by the Resident in this behalf.

<sup>1</sup> Substituted by not first on No. 23 J., dated the 22nd September 1900. *Hydrated Soda* *Orders*, 1900, Pt. I, p. 195.

## FORM C.

*(Rule 4 of Chapter IV of Part II.)*

License to possess dangerous petroleum in quantity not exceeding forty  
gallons.

No.

Fee, Rs. 3.

License is hereby granted to \_\_\_\_\_ for the storage, in the storage shed  
described below, of \_\_\_\_\_ gallons of dangerous petroleum, subject to the  
rules for the storage of petroleum published in notification No. \_\_\_\_\_  
dated \_\_\_\_\_, and to the further conditions on the back of this license.

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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[Description of the storage shed above referred to.]

## ENDORSEMENT ON FORM C.

## CONDITIONS OF LICENSE.

1. If the licensing officer call upon the holder of a license by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under section 5 or section 6 of the Act, or any less quantity of such petroleum except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained.

3. The petroleum shall be stored in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than ten gallons and fitted with well-made filling holes and well-fitting screw plugs or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch, provided that wood cases shall not be necessary

when the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons . . . . .	16 B. W. G.

4. An air-space of not less one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. Receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material; provided, however, that the doors and windows may be of wood.

9. All ventilating openings in the storage shed shall be protected by strong wire gauze.

10. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

11. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

12. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary and shall prevent any other person from doing such act.

13. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

14. Where a storage shed forms a part of, or is attached to, another building, and where the intervening floor or partition is of an unsubstantial of



inflammable character or has openings therein the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

15. The storage shed shall be liable to inspection by an officer not being of lower rank than <sup>1</sup>[a Sub-Inspector of Police] authorised by the Resident in this behalf.

### FORM D.

*(Rule 7 of Chapter IV of Part II.)*

License to possess petroleum, not being dangerous petroleum, in a major installation.

No.

Fee, Rs.

License is hereby granted to  
in the place described below, of  
not being dangerous petroleum, subject to the rules for the storage of petroleum published in notification No. dated  
and to the further conditions on the back of this license.

*Resident at Hyderabad.*

*The*

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[Description of the place above referred to.]

### ENDORSEMENT ON FORM D.

#### CONDITIONS OF LICENSE.

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain 10 per cent. more oil than the tank is capable of containing, and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks\* may be situated within the wall or excavation but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

<sup>1</sup> Substituted by notification No. 53 J., dated the 29th September 1900. *Hyderabad Residency Orders*, 1900, Pt I, p 195.

\* These tanks shall not have a greater capacity than 50,000 gallons.

2. In the case of all storage sheds within the installation, either the doorways and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

4. A distance of not less than one hundred feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred and fifty feet shall be kept clear between any storage tank or shed and any protected work.

6. The distances specified in conditions 4 and 5 may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken or where there are special circumstances that, in the opinion of the Chief Inspector of Explosives, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes shall be permitted within the installation except in the office, living quarters, engine room, boiler house and smithy.

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### FORM E.

*(Rule 8 of Chapter IV of Part II.)*

License to possess petroleum, not being dangerous petroleum, in a minor installation.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_  
in the place described below, of \_\_\_\_\_  
dangerous petroleum, subject to the rules for the storage of petroleum published  
in notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further con-  
ditions on the back of this license.

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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[Description of the place referred to.]

inflammable character or has openings therein the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

15. The storage shed shall be liable to inspection by an officer not being of lower rank than <sup>1</sup>[a Sub-Inspector of Police] authorised by the Resident in this behalf.

### FORM D.

*(Rule 7 of Chapter IV of Part II.)*

License to possess petroleum, not being dangerous petroleum, in a major installation.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ for the storage  
in the place described below, of \_\_\_\_\_ gallons of petroleum  
not being dangerous petroleum, subject to the rules for the storage of petro-  
leum published in notification No. \_\_\_\_\_ dated \_\_\_\_\_  
and to the further conditions on the back of this license.

*Resident at Hyderabad.*

*The*

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[Description of the place above referred to.]

### ENDORSEMENT ON FORM D.

#### CONDITIONS OF LICENSE.

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain 10 per cent. more oil than the tank is capable of containing, and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks\* may be situated within the wall or excavation but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

<sup>1</sup> Substituted by notification No. 59 J., dated the 29th September 1909. *Hyderabad Residency Orders*, 1909, Pt. I, p. 105.

\* These tanks shall not have a greater capacity than 30,000 gallons.

2. In the case of all storage sheds within the installation, either the doorways and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

4. A distance of not less than one hundred feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred and fifty feet shall be kept clear between any storage tank or shed and any protected work.

6. The distances specified in conditions 4 and 5 may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken or where there are special circumstances that, in the opinion of the Chief Inspector of Explosives, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes shall be permitted within the installation except in the office, living quarters, engine room, boiler house and smithy.

### FORM E.

*(Rule 8 of Chapter IV of Part II.)*

License to possess petroleum, not being dangerous petroleum, in a minor installation.

No.	Fee, Rs.
License is hereby granted to	for the storage,
in the place described below, of	gallons of petroleum, not being
dangerous petroleum, subject to the rules for the storage of petroleum published	
in notification No. , dated	, and to the further con-
ditions on the back of this license.	

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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[Description of the place referred to.]

## ENDORSEMENT ON FORM E.

## CONDITIONS OF LICENSE.

1. Every tank of which the capacity exceeds fifteen thousand gallons shall either be separately surrounded by a wall or embankment of substantial construction, or shall be sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain the total quantity of oil capable of being contained in the tank and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. The space enclosed by such wall or excavation and not occupied by the tanks, shall be kept entirely clear and unoccupied.

2. The distance to be kept clear between a tank and the walls or embankments which surround it shall be, measuring from the ground level—

(a) for horizontal tanks, not less than one-third the height of the tank;

(b) for perpendicular tanks, not less than one-half the height of the tank.

3. The height of walls or embankments surrounding the installation shall be not less than two feet six inches from the ground level.

4. The following distances shall be kept clear between protected works not forming part of the installation and the enclosure walls or embankments:—

Where the number of gallons stored is—	Distance to be kept clear.
5,000 and under . . . . .	Not less than 15 feet
Over 5,000 and up to 20,000 . . . . .	Ditto 20 „
Over 20,000 and up to 50,000 . . . . .	Ditto 30 „

Provided that these distances may be reduced by the Resident on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there are special circumstances which in the opinion of the Chief Inspector of Explosives warrant the reduction.

5. Soldering shall only be permitted in a separate room or building placed as far from the tanks as can be conveniently arranged, in which no storage or filling shall be permitted. No more tins shall be allowed in the soldering room at any one time than are necessary for expeditious working.

6. No fire or lights, except those necessary in the soldering room and watchman's house, shall be permitted.

7. If the installation contains tanks of which the capacity does not exceed fifteen thousand gallons, either—

- (a) each tank shall be separately enclosed in the manner prescribed in condition 1, or
- (b) the entire installation shall be surrounded by a masonry wall or embankment or a combination of these forming an enclosure of dimensions sufficient to contain, and prevent the overflow of, all the oil that may be stored at any one time within such walls or embankments.

8. In the case of all storage sheds within an installation which is not surrounded by a masonry wall or embankment as provided in clause (b) of condition 7, either the doorways and other openings of the building shall be built up to a height of two feet above the level of the ground outside it, or the floor sunk to a depth of two feet below the level of the ground, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained; or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet high.

A combination of these methods is permissible.

## FORM F.

(Rule 9 of Chapter IV of Part II.)

Special license to possess and transport dangerous petroleum for owners of motor-vehicles

No.

Free of charge.

License is hereby granted to owner (or hirer) of a motor-vehicle (or vehicles) for the possession of gallons of dangerous petroleum for use therein at\* and for its transport on the said motor-vehicle (or vehicles) for the purpose of use therein, subject to the rules for the possession and transport of dangerous petroleum published in notification No. , dated , and to the conditions at the back of this license.

When the quantity exceeds forty gallons.

*Resident at Hyderabad.*

When the quantity does not exceed forty gallons.

*District Magistrate or authority appointed under rule 2 of Chapter III of Part II.*

The

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\* Situation and description of storage shed above referred to.

## ENDORSEMENT ON FORM F.

## CONDITIONS OF THE LICENSE.

1. The dangerous petroleum shall not be kept, used or transported except in gas-tight tinned or galvanized sheet iron, steel or lead plate drums of receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs or fitted with screw cap or other cap with metal air-tight undercap. Such drums or receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch. Provided that wood cases shall not be necessary when the drums or receptacles are made of tinned or galvanized sheet iron, or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons	27 B. W. G.
(2) When the capacity exceeds two gallons	22 B. W. G.

## No. 27.

*Page 140.*—(1) Add the following words at the beginning of condition (1) of license form F appended to the rules published with notification No. 38, dated the 29th June 1909, namely:—

“When not carried in a receptacle forming part of a motor vehicle.”

(2) Delete the words “not forming part of a motor vehicle” occurring in condition (3) of the same form.

(Notification No. 76-J., dated the 10th December 1913)

[*Hyderabad Residency Orders, 1913, Pt. I, p. 113.*]

dangerous petroleum.

5. Before repairs are done to any such vessel, that vessel shall, as far as practicable, be cleaned by the removal of all dangerous petroleum and of all dangerous vapours derived from the same.

6. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of unflammable material, provided, however, that the doors and windows may be of wood.

7. Where a storage shed forms part of, or is attached to, another building, and when the intervening floor or partition is of an unsubstantial or inflammable character, or has an opening therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling, or as a place where persons assemble. A storage shed shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble.

8. The amount of dangerous petroleum to be kept in any one storage shed whether or not upon motor-vehicles, shall not exceed sixty gallons at any one time.

9. The filling or replenishing of any vessels with dangerous petroleum shall not be carried on, nor shall the contents of any such vessel be exposed, in the presence of fire or artificial light except a light of such construction, position and character as not to be liable to ignite any inflammable vapour, and no artificial light shall be brought within dangerous proximity of the place where any vessel containing dangerous petroleum is being kept.

10. In the case of all dangerous petroleum kept or transported for the purpose of, or in connection with any motor-vehicle, (a) all due precautions shall be taken for the prevention of accidents by fire or explosion and for the prevention of unauthorised persons having access to any dangerous petroleum kept or transported and to the vessels containing, or having actually contained, the same, and (b) every person managing or employed on or in connection with any motor-vehicles shall abstain from every act, whatever, which tends to cause fire or explosion, and which is not reasonably necessary, and shall prevent any other person from committing such act.

11. The storage shed be liable to inspection by an officer not being of lower rank than an Inspector of Police, authorised by the Resident in this behalf.

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### FORM G.

#### *(Rule 1 of Chapter V of Part II)*

General license to transport petroleum other than dangerous petroleum.

No.

Fee Rs. 100.

A general license is hereby granted to \_\_\_\_\_ to transport petroleum, other than dangerous petroleum, subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the condition at the back of this license.

This license shall continue in force till the

*District Magistrate or authority appointed  
under Rule 2 of Chapter III of Part II.*



## ENDORSEMENT ON FORM G.

## CONDITIONS OF THE LICENSE.

The petroleum, if not in bulk, shall be packed in air tight tins or drums of steel or iron, or other receptacles not easily broken or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

## FORM H.

(Rule 2 of Chapter V of Part II.)

General license to transport dangerous petroleum otherwise than in bulk.

No.

Fee, Rs. 50.

A general license is hereby granted to \_\_\_\_\_ to transport dangerous petroleum otherwise than in bulk, subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

This license shall continue in force till the

When the quantity to be transported  
at a time exceeds forty gallons.

*Resident at Hyderabad.*

When the quantity to be transported  
at a time does not exceed forty gallons.

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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## ENDORSEMENT ON FORM H.

## CONDITIONS OF THE LICENSE.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than forty gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

## FORM I.

(Rule 4 of Chapter F, Part II.)

Pass to be granted by the holder of General License No. \_\_\_\_\_ for the transport of <sup>dangerous</sup>~~non-dangerous~~ petroleum <sup>otherwise than in bulk</sup>~~in bulk or otherwise than in bulk~~ subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this pass.

This pass covers (

drams  
tins  
cases  
packages containing)\*

\* To be omitted when the petroleum is transported in bulk

gallons of <sup>dangerous</sup>~~non-dangerous~~ petroleum being the property of \_\_\_\_\_ while in transport from \_\_\_\_\_ to \_\_\_\_\_

The

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Holder of General License No.

# ENDORSEMENT ON FORM I.

## CONDITIONS OF PASS.

*I.—For dangerous petroleum in the case of the holder of a license in Form II.*

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than forty gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch :

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal :

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

*II.—For dangerous petroleum in the case of the holder of a license in Form I.*

1. The quantity of dangerous petroleum to be transported under this pass shall not exceed sixty gallons.

2. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such

receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch :

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal :

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons . . . . .	22 B. W. G.

3. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

4. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

5. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

### *III.—For petroleum other than dangerous petroleum.*

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage

## FORM J.

*(Rule 5 of Chapter V of Part II.)*

Special license to transport petroleum other than dangerous petroleum.

No \_\_\_\_\_ Fee, Rs.

License is hereby granted to \_\_\_\_\_ to transport from \_\_\_\_\_ to \_\_\_\_\_ \* ( \_\_\_\_\_ cases or packages containing)\*

\* To be omitted when the petroleum is transported in bulk, \_\_\_\_\_ gallons of petroleum subject to the rules contained in Chapter V of Part II of Government notification No. \_\_\_\_\_

dated \_\_\_\_\_, and to the further condition on the back of, this license.

The license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

## ENDORSEMENT ON FORM J.

## CONDITIONS OF THE LICENSE.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron, or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

## FORM K.

*(Rule 6 of Chapter V of Part II.)*

Special license to transport dangerous petroleum.

No.

Fee, Rs.

License is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ to transport  
cases or packages containing in all \_\_\_\_\_ gallons of  
dangerous petroleum from \_\_\_\_\_ to \_\_\_\_\_  
subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government  
notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the  
further conditions on the back of this license.

The amount of petroleum in each case or package is stated below.

This license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

When the quantity exceeds forty  
gallons.

*Resident at Hyderabad.*

When the quantity does not exceed  
forty gallons

*District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.*

The

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## ENDORSEMENT ON FORM K.

## CONDITIONS OF LICENSE.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than forty gallons and fitted with well made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal :

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of contents and the words "Highly Inflammable" must be distinctly marked on the receptacles.

## FORM L.

*(Rule 9 of Chapter I of Part II)*

General license to the owner of a motor-vehicle to transport dangerous petroleum otherwise than on a motor vehicle.

No.

File, Re. 5.

A general license is hereby granted to \_\_\_\_\_ to transport dangerous petroleum, otherwise than in bulk, up to  $\frac{40}{100}$  gallons at a time subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Government notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

This license shall continue in force till the

When the quantity exceeds forty gallons.

*Resident at Hyderabad.*

When the quantity does not exceed forty gallons.

*District Magistrate or authority appointed under rule 2 of Chapter III of Part II.*

## ENDORSEMENT ON FORM L.

## CONDITIONS OF LICENSE.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch.

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal:

	Not less than
(1) When the capacity does not exceed two gallons . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons . . . .	22 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly Inflammable" must be distinctly marked on receptacles.

[*Hyderabad Residency Orders, 1902, Pt. I, p. 123.*]

Sales to  
regulate the  
possession  
and transport  
of carbide of  
calcium.

No. 65, dated the 22nd July 1907.—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazaars, the Cantonments of Secunderabad and Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to make the following rules to regulate the importation, possession, and transport of carbide of calcium within the aforesaid areas:—

## PART I.—OF IMPORTATION OF CARBIDE OF CALCIUM.

(Applicable to Maritime Provinces.)

## PART II.—OF POSSESSION OF CARBIDE OF CALCIUM.

1. No carbide of calcium shall be kept at any place, with or without a license unless it is "commercially pure," i.e., unless it contains no impurities liable to generate phosphoretted or siliciuretted hydrogen so as to render the gas evolved liable to ignite spontaneously.

Carbide of calcium to be "commercially pure"

\* See for Section No. 42—P. B., dated the 1st February 1907, p. 122

2. No license shall be required for the possession of carbide of calcium

Conditions of possession without license.

(i) in any quantity not exceeding five pounds if it is kept in separate vessels, each containing not more than one pound, of the nature described in, and labelled as required by rule 1 of Part V ; (ii) in any quantity exceeding five and not exceeding twenty-eight pounds where the following conditions are observed and the vessels containing it are labelled as required by rule 1 of Part V :—

- (a) the carbide shall be kept only in metal vessels hermetically closed at all times when the carbide is not actually being placed in or withdrawn from such vessels ;
- (b) the vessels containing carbide shall be kept in a dry and well ventilated place ;
- (c) due precautions shall be taken to prevent unauthorised persons from having access to the carbide ;
- (d) notice shall be given of such keeping to the licensing authority referred to in rule 8 of this Part, and free access shall be afforded to any duly authorised inspector to inspect the portion of the premises where the carbide is kept and the generator, if any, is situated.

Where a fixed generator is used on the premises—

- (e) full and detailed instructions as to the care and use of the generator shall be kept constantly posted up in such place as to be conveniently referred to by the generator attendant.

Where it is desired to keep a greater quantity or where the above conditions cannot be complied with, application must be made to the licensing authority for a license.

3. Carbide of calcium in any quantity exceeding twenty-eight pounds may

Licenses for possession.

be kept only under a license to possess carbide of calcium granted under these rules.

Every application for such a license shall be in Form A in the schedule, and where the applicant proposes to engage in the manufacture of acetylene gas, the generating apparatus to be used by the licensee must, if manufactured in British India, have been examined by such competent authority as the Local Government or Administration of the province of manufacture may from time to time specially authorize in this behalf, and certified by it to be suitable ; or, if imported, must either have been so examined and certified, or be of a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.



4. Notwithstanding anything contained in rule 3 of this Part, carbide of calcium may, with the special permission of the Resident, and on such conditions as may be fixed by it, be stored without a license in premises provided for the purpose.

*NOTE.—This rule is intended to be applied only in the case of Port Trust and similar premises.*

Situation of storage buildings.

5. Carbide of calcium shall be stored,—

(1) if in quantities aggregating not more than four hundred and fifty pounds—in a suitable uninhabited building at least twenty feet away from any other premises : provided that quantities not exceeding two hundred and twenty-five pounds may be stored in a place connected with a shop at a distance of at least ten feet from other premises ;

(2) if in quantities aggregating more than four hundred and fifty pounds and not more than three thousand pounds—in a suitable uninhabited building at least forty feet away from any other premises ;

(3) if in quantities aggregating more than three thousand pounds and not more than fifty tons—in an uninhabited building at least one hundred feet away from any other premises. Not more than fifty tons of carbide of calcium shall be stored in any one building.

Construction of storage building.

6. Every building for the storage of carbide of calcium shall be—

(a) constructed with stone, brick or iron walls, with terraced, tiled or iron roofs, and with tiled, paved or cemented, or iron (or steel) floors raised at least a foot above the ground level ; and

(b) well ventilated and water-tight to the satisfaction of the licensing officer.

7. Carbide of calcium shall be stored only on racks or trestles standing at least one foot above the level of the ground, and no articles of an inflammable or combustible nature shall be kept in the same building.

Arrangement in storage building.

8. Licenses to possess carbide of calcium shall be in Form B in the schedule, and may be granted by the First Assistant to the Resident at Hyderabad or by such other officer as the Resident may, from time to time, by an order in writing, appoint in this behalf.

Licenses for possession.

Continuance of license.

9. Such licenses shall be in force for one year from the dates of issue :

Provided that the licensing officer may, at any time, for good and sufficient reasons, cancel any such license.

Fee for license.

10. The fee for a license to possess carbide of calcium shall be five rupees.

Renewal of license.

11. Every application for the renewal of a license to possess carbide of calcium shall be made in the same manner as an application for an original license.

Date of, and fee for, application for renewal.

12. Every such application shall be made at a date not less than fifteen days prior to the date on which the original license expires.

The fee charged for the renewal of a license shall be three rupees.

13. Every retail vendor of carbide of calcium, selling any quantity exceeding half a pound to a purchaser, shall deliver it to him in an air-tight tin or drum packed and marked in accordance with these rules, and bearing the name of the vendor plainly printed on the package.

Packing and marking on sale by retail vendor.

14. Every retail vendor shall keep his carbide of calcium in a receptacle which can be easily opened and closed again so as to be air-tight, and shall open for purposes of sale not more than one receptacle at a time.

Packing and opening by retail vendor.

### PART III.—TRANSPORT OF CARBIDE OF CALCIUM.

1. No license shall be required for the transport of carbide of calcium in any quantity not exceeding five pounds if it is packed in separate vessels, each containing not more than one pound, of the nature described in, and labelled as required by, rule 1 of Part V.

Conditions of transport without license.

2. Carbide of calcium in any quantity exceeding five pounds may be transported only under a license to transport carbide of calcium granted under these rules, and shall not be deposited at any time during transit in any building other than a building fulfilling the requirements of rules 5 and 6 of Part II, and shall not be stored in any such building except in accordance with the conditions as to storage prescribed by rule 7 of Part II.

Conditions of transport under license.

3. Notwithstanding anything contained in rule 2 of this part, carbide of calcium, while in the possession of a railway for transport, shall not be stored in any railway goods shed, but shall be stacked in the open under waterproof sheets and so placed as to prevent its getting wet.

Conditions of transport by railway.

Special precautions.

4. All lights shall be kept away from carbide of calcium stacked as provided in rule 3 of this Part.

5. If any carbide of calcium is wetted while in the possession of a railway for transport, it shall be destroyed by immersion in at least twenty times its bulk of water.

*NOTE.—The fact of carbide of calcium having become wet will be indicated by the outward appearance of the drum, and probably by a disagreeable odour, showing a leakage of gas.*

6. (1) Where carbide of calcium is transported by passenger train, no quantity exceeding four hundred and fifty pounds shall be carried by any one train and the vehicles shall be well ventilated and as far as possible water-tight.

(2) In no circumstances shall a naked lamp or other unprotected artificial light be taken into a wagon, vessel or conveyance containing carbide of calcium.

7. Licenses to transport carbide of calcium shall be either general or special in Form C or Form D in the schedule, and may be granted by the First Assistant Resident, Hyderabad, or by such other officer as the Resident may, from time to time, by an order in writing, appoint in this behalf.

8. A general license to transport carbide of calcium may be granted only to a person who holds an annual license to possess a quantity exceeding four hundred and fifty pounds of carbide of calcium.

9. A special license to transport carbide of calcium may be granted to any person for a particular consignment at the discretion of the licensing officer.

10. The fee for a general license to transport carbide of calcium shall be three rupees.

11. An application for a general license to transport carbide of calcium shall state—

(a) the number and date of the license to possess carbide of calcium held by the applicant; and

(b) the period of currency of that license.

12. A general license to transport carbide of calcium shall be in force for not more than one year, and shall in no case remain in force after the date on which the license to possess carbide of calcium held by the applicant expires.

Continuance of general transport license. Application for special transport license. 13. An application for special license to transport carbide of calcium shall state—

- (a) the place from which the carbide of calcium is to be transported ;
- (b) the place to which it is to be transported ;
- (c) the number of drums or cases ;
- (d) the quantity in each drum or case ;
- (e) the name and address of the consignee ;
- (f) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported ; and
- (g) the date on which it is proposed to despatch the consignment.

14. A special license to transport carbide of calcium shall be in force for such period, not exceeding one month from the date of the grant of the license, as may be specified on the same.

Continuance of special transport license. Fee for special transport license. 15. The fee for special license to transport carbide of calcium shall be one rupee.

16. The holder of a general license to transport carbide of calcium shall, with each consignment conveyed under cover of his license, issue a pass in Form E in the schedule specifying—

- Issue and contents of passes
- (a) the places from and to which the carbide of calcium is to be transported ;
  - (b) the quantity of carbide of calcium covered by the pass ;
  - (c) the name and address of the consignee ; and
  - (d) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported.

17. Carbide of calcium may be transported within———under cover of any license granted by the prescribed authority in any province in British India provided that the conditions of such license are observed throughout the period during which the carbide of calcium is in transit.

Validity of license granted in British India.

## PART IV.—OF INSPECTION.

1. The District Magistrate, the Sub-divisional Magistrate or any Magistrate subordinate to the District Magistrate appointed by him in this behalf by order in writing, or any police officer of or above the rank of inspector appointed by the District Magistrate in this behalf by order in writing, or any other officer appointed by the Resident in this behalf, may at any time enter any premises in respect of which a license to possess carbide of calcium has been granted, for the purpose of inspecting the same.

Powers of inspecting officer.

2. Any officer so inspecting may require a sample or samples to be delivered to him from any drum or case of carbide of calcium stored in the premises inspected.

Requisition of samples.

3. The licensee of any premises inspected shall personally or through a representative show the officer so inspecting every place and every vessel in which carbide of calcium in his possession is kept, deliver any samples required, and give such assistance as that officer may require.

Facilities to be afforded to inspecting officers.

4. Where a license to transport carbide of calcium has been granted any officer authorised under rule 1 of this Part may, at any time and on or before the arrival of the carbide of calcium at its destination, detain any conveyance, used for such transport, for the purpose of inspecting the license granted for the transport of the consignment or the pass issued by the licensee and seeing whether the provisions of these rules and the conditions of the license have been complied with.

Inspection during transit.

## PART V.—GENERAL.

Description and marking of vessels.

1. Where carbide of calcium—

- (a) is imported or kept at any place after seven days from the date of its importation, or
- (b) is transported, or
- (c) is sold or exposed for sale,

it shall be contained in substantial hermetically closed metal vessels each containing not more than two hundred and twenty-four pounds, having no copper in their construction and having attached to them labels stating in conspicuous

characters the words—"Carbide of Calcium—dangerous if not kept dry," together with the following caution:—

*"The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas,"*  
and with the addition—

- (d) in the case of a vessel kept, of the name and address of the consignee or owner;
- (e) in the case of a vessel transported, of the name and address of the sender; and
- (f) in the case of a vessel sold or exposed for sale, of the name and address of the vendor.

2. A licensing officer may, for reasons to be reported to the Resident, refuse a license in any case, the reasons for refusal being communicated to the applicant if a request to that effect is preferred by him; and the Resident may on receipt of such report, and of any representation made to him by the applicant, pass such orders on the case as he thinks fit.

3. Any explosion or accident occurring in connection with the importation, transport, possession or sale of carbide of calcium shall be reported by the person in charge of the same for the time being without delay at the nearest police station.

4. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license. Such new license shall be granted on payment of one rupee.

5. Where the license granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of eight annas.

6. The fees chargeable under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamps: provided that, if the application is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, minus the

deductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), as applied to the areas under the control of the Resident at Hyderabad may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

7. Any person holding a license or acting under a license granted under these rules shall be bound to produce the

Production of license.

same when called upon to do so by any

Magistrate or Police officer of or above the rank of an officer in charge of the police station.





## FORM B.

No.

A license to possess not more than  
pounds of carbide of calcium at any one time in the building described on the reverse is hereby granted to

subject to the rules and conditions endorsed hereon. This license shall continue in force till, and become void after, the  
(Description of the building referred to to be on the back of this license.)

Signature

Dated

19

of

## ENDORSEMENT ON FORM B.

## Rules.

[Here enter rules, 1, 2, 3, 5 to 14 of Part II, 1 to 3 of Part IV, and 1 to 7 of Part V.]

## Conditions.

This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the possession and sale of carbide of calcium made thereunder.

2. If the licensing officer or any officer appointed under rule 1 of Part IV calls on the license-holder by notice in writing, to execute any repairs to the building licensed which may, in the opinion of such officer, be necessary for the safety thereof, the license-holder shall execute the repairs within such period, not being less than one week from the date of receipt of the notice, as may be fixed by the notice.

3. Subject to the provisions of rule 2 of Part II, the licensee shall not deliver any quantity of carbide of calcium exceeding twenty-eight pounds to any one who has not a license under section 11 of the Act as applied or any quantity of such carbide of calcium exceeding half a pound, except in accordance with the rules as to the manner in which carbide of calcium is to be packed.

4. Vessels containing carbide of calcium shall be opened only for the time necessary for the removal of any quantity of carbide of calcium or for the refilling of other vessels. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with the carbide of calcium, as well as for guarding against the risk of ignition of any gas which may be liberated.

5. Every storage vessel of a greater storage capacity than two pounds shall be secured with a lock or be kept in a locked receptacle, so as to prevent unauthorised persons having access to the contents.

6. Due precaution shall at all times be taken for the prevention of accidents from fire, and no smoking, light, or fire in any form shall be permitted at any time within or near the building in which the carbide of calcium is stored.

7. If carbide of calcium is used for the manufacture of acetylene gas, the following precautions for ensuring safety shall be adopted :—

- (a) The apparatus used must, if manufactured in India, have been examined by\*—and certified by it to be suitable, or, if imported, either have been so examined and certified or be of a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.

\* *vide* rule 3 of Part II.

- (b) Every apparatus for generating and storing acetylene gas other than a portable apparatus holding a charge of less than two pounds of carbide of calcium shall be placed in an out-building which shall be separated as far as may be practicable from any inhabited building and shall be well ventilated.
- (c) No fire or such artificial light as would ignite inflammable gas shall be taken into or near the building, in which a gas-making apparatus is placed.

8. Every apparatus (including generator and gas-holder) used for the manufacture of acetylene gas shall, as far as practicable, be constructed and used so as to provide against special risk, that is to say :—

- (a) Copper shall not be used in any part of the apparatus.
- (b) The various parts shall be of adequate strength.
- (c) The escape of gas from the apparatus shall be carefully guarded against.
- (d) Satisfactory provision shall be made against the dangerous development of heat.
- (e) Satisfactory provision against undue pressure shall be made by the employment of an adequate safety valve connected with a pipe discharging into the open air and a suitable pressure gauge shall be attached to the apparatus.
- (f) Provision shall be made for the residue of the carbide of calcium, being mixed with at least ten times its bulk of water on being removed from the apparatus.

(g) No person shall have charge of an apparatus unless he has been properly instructed in its management.

### FORM C.

No.

A general license to transport  
pounds of carbide of calcium by rail, by road or by water,  
, is hereby granted to

subject to the rules and conditions endorsed hereon.

This license shall continue in force till, and become void after, the

*Dated the* \_\_\_\_\_ *190* \_\_\_\_\_ *Signature*  
\_\_\_\_\_ *of* \_\_\_\_\_

### ENDORSEMENT ON FORM C.

#### *Rules.*

[Here enter rules 1, 2, 6 to 8, 10 to 12 and 16 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

#### *Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

### FORM D.

No.

A special license to transport  
pounds of carbide of calcium from  
to \_\_\_\_\_ is hereby granted to

, subject to the rules and conditions endorsed hereon, and by the following route, namely:—

The weight of carbide of calcium in each package shall not exceed

This license shall continue in force till, and become void after, the  
day of \_\_\_\_\_ 190 .

*Dated the* \_\_\_\_\_ *190* . \_\_\_\_\_ *Signature*  
\_\_\_\_\_ *of* \_\_\_\_\_

## ENDORSEMENT ON FORM D.

*Rules.*

[Here enter rules 1, 2, 6, 7, 9, and 13 to 15 of Part III, rule 4 of Part IV, and rules 1 to 7 of Part V.]

*Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the areas under the control of the Resident at Hyderabad and the abovementioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

## FORM E.

No.

This pass covers packages containing  
pounds of carbide of calcium being the property of  
*(consignee's name)* while in transport from  
to

The said *(consignee's name)*  
has a license to possess carbide of calcium sufficient to cover the amount above-mentioned.

Dated the 190 . Holder of General License No.

[Hyderabad Residency Orders, 1907, Pt. I, p. 113.]

No. 37, dated the 29th June 1909.—In exercise of the powers conferred by section 12 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied Conferment of powers under section 12.  
\* \* \* to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad, the Resident is pleased specially to authorise the officers mentioned in the schedule hereto annexed by virtue of their offices to exercise within the local limits shown in the second column of the said schedule the powers specified in the said section.

## schedule.

The Chief Inspector of Explosives and the Inspectors of Explosives.	In all part sof the areas specified above.
All District Magistrates . . . . .	Within their respective districts.
All Magistrates subordinate to the District Magistrate.	Within the areas respectively subject to their jurisdiction.
All Police officers not below the rank of Sub-Inspector.	Within the areas over which respectively their authority extends.

## [Hyderabad Residency Orders, 1909, Pt I, p. 122.]

Application of certain provisions of the Act to carbide of calcium.

No. 428-I. B., dated the 1st February 1907.—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Hyderabad Residency Bazar, the Cantonments of Secunderabad and Aurangabad and the railway lands in the territories of His Highness the Nizam of Hyderabad \* \* \* the Governor General in Council is pleased to apply to carbide of calcium the provisions of sections 8 to 15, 17, 18, 23, and 24 of the said Act, and to prescribe that, for the quantity of petroleum mentioned in section 11 of the same Act, such quantity or quantities of carbide of calcium shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of carbide of calcium.

## [Gazette of India, 1907, Pt. I, p. 75.]

Place where barometer for test-apparatus is to be standardised.

No. 20, dated the 7th June 1891.—For the purposes of paragraph 1 (b) of the schedule to the Petroleum Act, 1896, as applied to the [railway lands] in the territory of His Highness the Nizam of Hyderabad \* \* the Resident at Hyderabad is pleased to appoint, with the consent of the Government of Madras, the Meteorological office at Madras to be the Meteorological office referred to in the said paragraph.

Glanders and Farcy Act, 1872.

## [Hyderabad Residency Orders, 1891, Pt. I, p. 153.]

Rules for Secunderabad.

No. 25, dated the 4th September 1893.—Under the powers vested in him by section 14 of the Glanders and Farcy Act extended to the Cantonment of Secunderabad \* \* \* the Resident is pleased to make and issue the following rules:—

1. In these rules the words "horse," "diseased" have the meanings which they have in the Act.

<sup>1</sup> See now Part I of the First Schedule to the Indian Petroleum Act, 1907, as applied by Notification No. 143 I. B. dated the 22nd March 1913. Printed Vol. I, p. 217.

<sup>2</sup> See now Notification No. 281 I. B. dated the 22nd March 1913. Printed Vol. I, p. 217.

"Inspector" and "Veterinary Surgeon" mean respectively the officers who may from time to time be appointed by the Resident to perform the duties which the Act assigns to Inspector and Veterinary Surgeon.

2. The Inspector shall perform his duties subject to the supervision and control of the Cantonment Magistrate.

3. No Inspector shall enter or search any field, building, or other place before sunrise or after sunset or until he has given notice to the owner of such field, building, or place, or to his servants of his intention to make such entry and search.

Provided that when an Inspector has reason to believe that unless the seizure is made at once the horse will be removed or will escape and spread the disease, he may make the entry and search at any time and without notice.

4. Sections 48 and 102 of the Code of Criminal Procedure shall apply to searches made by Inspectors under the Act.

5. The Cantonment Committee shall appoint places where horses supposed to be diseased may be taken for examination by the Veterinary Surgeon.

6. When an Inspector seizes a horse in the belief that he is diseased he shall at once send intimation to the Veterinary Surgeon and shall either remove the horse to a place appointed under the preceding rule or if he thinks that the examination can more conveniently and without risk be made at the place where the horse is, may leave him there taking such precautions as he may think fit to prevent his removal or escape.

7. The Veterinary Surgeon shall be bound, on receiving intimation that a horse has been seized, to proceed to the place where he is without avoidable delay and to examine him.

8. The Cantonment Committee shall appoint places where diseased animals may be destroyed and shall also prescribe the precautions to be observed in removing horses from places where they are examined to places where they are to be destroyed.

9. The carcase of every animal destroyed shall be immediately burnt in a public cinerary which the Cantonment authorities will supply for that purpose.

10. The stable or place where an animal is found diseased should be whitewashed, the floor dug up, fresh earth put in and the place thoroughly disinfected with sulphur, so that the smoke may pass well through the roof. The place so disinfected should be left unoccupied for at least 15 days. The bedding, grass, and all the gear of the diseased animal should be burnt in the presence of the Inspector.

11. Notices under section 9 shall be in Form A attached.

12. Licenses under section 11 shall be in Form B. After a horse has been pronounced by the Veterinary Surgeon to be diseased, the Inspector shall describe to him (if he has not seen it) the place where the horse was found and shall obtain his written opinion as to the granting of licenses under section 11, and shall be guided thereby.

13. The Inspector shall keep a diary and shall enter therein, as they occur, all entries, searches, and seizures made and all proceedings taken by him under the Act, and every Monday shall take this diary to the Cantonment Magistrate and obtain his signature thereto.

14. The Inspector shall receive a permanent advance of Rs. 5, and shall enter in a book in such form as the Cantonment Magistrate may prescribe, all sums received and expended by him under the Act, and shall at the end of each month obtain the signature of the Cantonment Magistrate to the book.

The Inspector shall render such accounts as the Cantonment Magistrate may from time to time require him to render.

#### FORM A.

*Notices under section 9, Glanders and Farcy Act, 1879.*

To \_\_\_\_\_ of \_\_\_\_\_

Whereas a horse found to have been diseased was on the \_\_\_\_\_ found in \_\_\_\_\_ in your possession (or under your charge), you are hereby directed, on the receipt of this notice, to take the precautionary measures specified on the reverse. In default of compliance with this order, you will be liable, on conviction before a Magistrate, to imprisonment for a term which may extend to one month or with a fine not exceeding Rs. 50, or with both.

*Signature*

Dated \_\_\_\_\_

*Inspector.*

(Specification of precautionary measures)

## FORM B.

*License under section 11, Glanders and Farcy Act, 1879.*

of \_\_\_\_\_

Permission is hereby granted to you to  
(Here describe the animals, the extent of the permission granted, and the conditions by which it may be limited.)

Any infringement of the conditions of this license will render you liable, on conviction before a Magistrate, to imprisonment and fine as provided in section 13 of the Act.

*Signature* \_\_\_\_\_*Inspector.**Dated* \_\_\_\_\_[ *Hyderabad Residency Orders, 1883, Pt I, p. 110.* ]

No. 206, dated the 21st December 1881.—The following rules framed under the provisions of the Glanders and Farcy Act (XX of 1870) are, with the approval of the Government of India, published for information and guidance of officers concerned in the several stations of the Hyderabad Contingent, and will come into force from the 1st January 1882. Rules for Aurangabad.

*Preamble.*—In these rules “horses” includes also ponies, asses, mules and jennets. “Diseased” means affected with glanders or farcy :—

I. Officers Commanding Stations are empowered to cause to be seized any horse within cantonment limits which they have reason to believe, from personal knowledge, or from information given by any person, and taken down in writing, is diseased, and may, for this purpose, cause to be entered and searched any field, building, or other place in which they have reason to believe any such horse is to be found.

II. On any such seizure, the Officer Commanding shall, in communication with the Officer Commanding the Cavalry Regiment or Battery of Artillery in the cantonment, cause the horse seized to be at once examined by a Salooterie of either corps

III. If the Salooterie declares that such horse is diseased, the Officer Commanding shall cause the same to be immediately destroyed; provided that if a Veterinary Surgeon be within reach and the owner of the horse be dissatisfied with the opinion of the Salooterie, such owner shall be at liberty at his own expense to have the horse at once re-examined by a Veterinary Surgeon,



11. Notices under section 9 shall be in Form A attached.

12. Licenses under section 11 shall be in Form B. After a horse has been pronounced by the Veterinary Surgeon to be diseased, the Inspector shall describe to him (if he has not seen it) the place where the horse was found and shall obtain his written opinion as to the granting of licenses under section 11, and shall be guided thereby.

13. The Inspector shall keep a diary and shall enter therein, as they occur, all entries, searches, and seizures made and all proceedings taken by him under the Act, and every Monday shall take this diary to the Cantonment Magistrate and obtain his signature thereto.

14. The Inspector shall receive a permanent advance of Rs. 5, and shall enter in a book in such form as the Cantonment Magistrate may prescribe, all sums received and expended by him under the Act, and shall at the end of each month obtain the signature of the Cantonment Magistrate to the book.

The Inspector shall render such accounts as the Cantonment Magistrate may from time to time require him to render.

#### FORM A.

*Notices under section 9, Glanders and Farcy Act, 1879.*

To \_\_\_\_\_ of \_\_\_\_\_

Whereas a horse found to have been diseased was on the \_\_\_\_\_  
 \_\_\_\_\_ found in \_\_\_\_\_ in your possession  
 (or under your charge), you are hereby directed, on the receipt of this notice,  
 to take the precautionary measures specified on the reverse. In default of  
 compliance with this order, you will be liable, on conviction before a Magis-  
 trate, to imprisonment for a term which may extend to one month or with a  
 fine not exceeding Rs. 50, or with both.

*Signature*

Dated \_\_\_\_\_

*Inspector.*

(Specification of precautionary measures.)

following order as to the removal of prisoners referred to in section 29 (1) of the said Act from the said Cantonment to prisons in British India :—

#### ORDER.

1. (1) Any prisoner who is a member of a criminal tribe or a police-registered criminal, and is not a native of the Hyderabad State, may be removed by order of the Inspector-General of Jails, Secunderabad, at any time not exceeding two months prior to his release to the prison of the district to which the prisoner belongs or to the prison nearest to his native-place :

Provided that, if any Local Government appoints any prison as a receiving depôt for prisoners removed from Secunderabad, orders made under this clause shall in each case direct that the prisoner be removed to such a prison.

(2) Before any prisoner be removed under sub-clause (1), the said Inspector-General of Jails shall send notice to the Inspector-General of Prisons in the Province to which it is intended to remove him.

2. Any prisoner whose detention in the Secunderabad Jail is deemed inexpedient may be removed to the Yerrowda Jail with the previous consent of the Inspector-General of Prisons, Bombay.

3. Any prisoner undergoing sentence in the Secunderabad Jail, whose services, by reason of his possessing special qualifications or o knowledge of a special trade, are required for purposes of prison administration in the Bombay Presidency, may be removed to any prison in the Bombay Presidency by order of the Inspector-General of Jails, Secunderabad.

4. Any European military or ex-military prisoner, undergoing a sentence imposed by a Civil Court, whom it is intended to remove from India, may be removed by order of the Resident at Hyderabad, at any time not exceeding three months prior to his release, to a prison at the port from which it is proposed that he should embark.

[*Gazette of India*, 1901, Pt. I, p. 917.]

No. 3723-I, dated the 20th September 1889.—

\* \*

2. The Governor General in Council is further pleased to direct that for the purposes of section 31, sub-section (2), of the Prisoners Act, 1871, as amended by Act X of 1886, the Nagpur Jail shall be deemed to be a prison within the territories subject to the Resident at Hyderabad.

[*Gazette of India*, 1889, Pt. I, p. 519.]

No. 3364-I, dated the 17th September 1886 — Under section 33 of the Prisoners Act, V of 1871, as modified by the Prisoners Act Amendment Act, IX of 1882, and as extended to the Cantonment of Secunderabad, the

<sup>1</sup> See new section 30 of the Prisoners Act, 1900, as applied by notification No. 582-I, B, dated the 22nd March 1913. Printed Vol. I p. 227.

<sup>2</sup> See new section 32 }

Jail for reception of lunatic prisoners become sane.

persons sentenced to transportation.

whose opinion as to the disease shall be final, and shall be acted on by the Officer Commanding; should the horse be declared not to be diseased, it shall be at once made over to the person entitled to possession thereof.

IV. When any diseased horse has been in any building, shed, etc., the Officer Commanding may direct such building, shed, etc., to be disinfected and the fittings thereof destroyed, should he consider such to be necessary.

V. On failure or neglect of the owner or other person to carry out such direction, the Officer Commanding may direct the same to be carried out at the expense of such person, etc., and the cost thereof levied by the Superintendent of Police as if such were a fine.

VI. The owner or any person in charge of a diseased horse shall give immediate information thereof to the Officer Commanding, or the Superintendent of Police.

VII. No horse which has been in the same building or place, or in contact with a diseased horse, shall be moved, except *bond fide* for the purpose of preventing infection, or with the permission of the Officer Commanding.

VIII. None of the above rules apply to the registered chargers of officers, or to the horses or ponies of the regiments and batteries of the Hyderabad Contingent, which in case of disease will be dealt with under Regulations.

[*Hyderabad Residency Orders, 1882, Pt. I, p. 4.*]

Church of  
Scotland Kirk  
Sessions Act,  
1899.

Constitution  
of the Kirk  
Session in  
Secunderabad.

No. 3774-I.A., dated the 24th August 1900.—In exercise of the powers conferred by section 2, sub-section (2), of the Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899), as applied to the Cantonment of Secunderabad by the notification of the Government of India in the Foreign Department, No. 3773-I.A., dated the 24th August 1900, the Governor General in Council is pleased to notify that the Kirk Session of the Church of Scotland at present existing in the said cantonment has been duly constituted for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland.

[*Gazette of India, 1900, Pt. I, p. 525.*]

Prisoners  
Act, 1900.  
Removal of  
prisoners.

No. 3329-J.B., dated the 21st December 1901.—In exercise of the powers conferred by section 29 (1) of the Prisoners Act, 1900 (III of 1900), as applied to the Cantonment of Secunderabad by the notification of the Government of India in the Foreign Department, No. 331-I.B., dated the 11th February 1901, the Governor General in Council is pleased to make the

following order as to the removal of prisoners referred to in section 29 (1) of the said Act from the said Cantonment to prisons in British India:—

#### ORDER.

1. (1) Any prisoner who is a member of a criminal tribe or a police, registered criminal, and is not a native of the Hyderabad State, may be removed by order of the Inspector-General of Jails, Secunderabad, at any time not exceeding two months prior to his release to the prison of the district to which the prisoner belongs or to the prison nearest to his native place:

Provided that, if any Local Government appoints any prison as a receiving depot for prisoners removed from Secunderabad, orders made under this clause shall in each case direct that the prisoner be removed to such a prison.

(2) Before any prisoner be removed under sub-clause (1), the said Inspector-General of Jails shall send notice to the Inspector-General of Prisons in the Province to which it is intended to remove him.

2. Any prisoner whose detention in the Secunderabad Jail is deemed inexpedient may be removed to the Yerrowda Jail with the previous consent of the Inspector-General of Prisons, Bombay.

3. Any prisoner undergoing sentence in the Secunderabad Jail, whose services, by reason of his possessing special qualifications or a knowledge of a special trade, are required for purposes of prison administration in the Bombay Presidency, may be removed to any prison in the Bombay Presidency by order of the Inspector-General of Jails, Secunderabad.

4. Any European military or ex-military prisoner, undergoing a sentence imposed by a Civil Court, whom it is intended to remove from India, may be removed by order of the Resident at Hyderabad, at any time not exceeding three months prior to his release, to a prison at the port from which it is proposed that he should embark.

[*Gazette of India*, 1901, Pt. I, p. 917.]

No. 3723-I., dated the 20th September 1889.—

2. The Governor General in Council is further pleased to direct that for Jail for reception of lunatic prisoners become sane.  
the purposes of section 31, sub-section (2), of the Prisoners Act, 1871, as amended by Act X of 1886, the Nagpur Jail shall be deemed to be a prison within the territories subject to the Resident at Hyderabad

[*Gazette of India*, 1889, Pt. I, p. 519.]

No. 3364-I., dated the 17th September 1886.—Under section 33 of the Jail for reception of persons sentenced to transportation.  
Prisoners Act, V of 1871, as modified by the Prisoners Act Amendment Act, IX of 1882, and as extended to the Cantonment of Secunderabad, the

<sup>1</sup> See new section 30 } of the Prisoners Act, 1900, as applied by notification No 582-I. B.,  
<sup>2</sup> See new section 32 } dated the 22nd March 1913. Printed Vol I p 227.

Governor General in Council is pleased to appoint the Central Jail at Akola to be a place to which prisoners sentenced in the Cantonment of Secunderabad to transportation shall be sent.

2. This notification shall be deemed to have had effect from the 1st January 1883.

[*Gazette of India*, 1886, Pt. I, p. 527.]

Cantonments (House Accommodation) Act, 1902.

[Act brought into force] in certain parts of Secunderabad.

No. 72, dated the 30th November 1903.—In exercise of the powers conferred by section 3 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), as applied to the Cantonment of Secunderabad \* \* \* the Resident at Hyderabad is pleased, with the previous sanction of the Governor General in Council, to declare the said Act as so applied to be operative in the parts of the said Cantonment known as Bolarum, Trimulgherry, Bowenpalli, Maredpalli, Begampett, Tarhand, Chilkalgudam and Staff Lines.

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 316.]

[Ditto] in Aurungabad.

No. 30, dated the 6th April 1904.—In exercise of the powers conferred by section 3 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), as applied to the Cantonment of Aurungabad \* \* \* the Resident at Hyderabad is pleased, with the previous sanction of the Governor General in Council, to declare the said Act as so applied to be operative in the said Cantonment of Aurungabad.

[*Hyderabad Residency Orders*, 1904, Pt. I, p. 101.]

Rules.

No. 4415-I.C., dated the 26th October 1906.—In exercise of the power conferred by section 41 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), as applied to the Cantonments of Secunderabad and Aurungabad, \* \* \* the Governor General in Council is pleased to declare the rules framed under the said Act for Cantonments in British India and published in the notification of the Government of India in the Military Department, No. 117, dated the 16th February 1906, to be in force in the Cantonment of Aurungabad and in those parts of the Cantonment of Secunderabad in which the said Act is for the time being operative, provided that in Aurungabad the Secretary to the Cantonment Committee shall, for the purposes of these rules, be deemed to be the Cantonment Magistrate.

[*Gazette of India*, 1906, Pt. I, p. 757.]

Poisons Act, 1904.  
Rules.

No. 48-J., dated the 10th May 1910.—In exercise of the powers conferred on him by sections 2 and 4 of the Poisons Act, 1904 (I of 1904), as applied to the areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad and with

<sup>1</sup> *Gazette of India*, 1906, Pt. I, p. 103.

the approval of the Governor-General in Council, the Resident is pleased to make the following rules:—

*Rules under section 2.*

1. The following poisons shall be deemed to be poisons for the purposes of these rules: Arsenite, Nux Vomica, Perchloride of Mercury (Corrosive Sublimate), Cyanide of Potash and Stramonium (*Datura*).

The expressions "sell" and "sale" mean respectively "sell by retail" and "sale by retail."

2. No person shall possess any poison specified in rule 1 for sale except under a license granted in this behalf by the District Magistrate, and no persons not possessing any such license shall sell any such poison.

3. The grant or withdrawal of a license to any applicant shall be at the discretion of the District Magistrate whose decision thereon shall be final.

4. A fee of Re. 1 per annum shall be charged for each license granted under rule 2 and shall be paid before the grant of such license. The license shall be inscribed on a non-judicial impressed stamped paper of the appropriate value: provided that no fee shall be charged to any person who has already paid the annual fee for a license to possess white arsenic for sale under the rules framed under section 4 of the Act.

5. A license shall terminate on the death of the license-holder.

6. The District Magistrate may for any sufficient cause revoke or cancel any license granted under rule 2

7. A license-holder shall effect every sale of poison in person

8. A license-holder shall not sell any poison to any person unless the latter is personally known to him or identified to his satisfaction. He shall not sell any poison to any person who appears to him to be under the age of 18 or to any person who does not appear to him to be in full possession of his faculties, or to any wandering mendicant.

9. A license holder shall not sell any poison of a quantity exceeding one ounce at any one time and to any one person

10. A license-holder shall maintain a register in which he shall enter all sales of poison. The following particulars shall be entered in such register in respect of each sale, viz.:—

- (a) Name of poison.
- (b) Quantity sold.
- (c) Date of sale.
- (d) Name of purchaser.
- (e) Address of purchaser.

- (f) Purpose for which the poison is stated to be required.
- (g) Signature of purchaser (or where purchaser is illiterate, his thumb-mark).
- (h) Signature of vendor.

11. A license-holder shall maintain in respect of each poison specified in rule 1 a stock register which shall contain the following particulars :—

- |  |                       |
|--|-----------------------|
| (a) Serial number.                                 | (e) Amount sold.      |
| (b) Date.  | (f) Balance in stock. |
| (c) Amount received.                               | (g) Remarks.          |
| (d) Name and address of person from whom received. |                       |

12. Any Magistrate or police officer of or above the rank of Sub-Inspector, or any medical officer of or above the rank of hospital assistant may at any time visit and inspect the premises of a license-holder where poison is kept for sale and may inspect all poisons found therein and the registers maintained under rules 10 and 11.

13. All poisons specified in rule 1 shall be kept in a separate locked almirah or box which shall have the words "poison" in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the poison contained in it and shall also have the word "poison" in English and vernacular painted upon it in red letters.

14. No poison shall be kept otherwise than in securely closed receptacles of glass, tin or earthenware.

15. When any poison is sold it shall be securely packed in a packet and every packet sold shall be labelled by the vendor with a red label bearing the name of the poison in the vernacular and the number and date of the entry in the register of sales.

16. When a license-holder also deals in poisons wholesale, the stock maintained for sale as defined in these rules shall be kept entirely distinct from any stock maintained for the purpose of wholesale transactions.

#### *Rules under section 4.*

I. For the purposes of these rules the expressions "sell" and "sale" mean respectively "sell by retail" and "sale by retail."

II. No person shall possess white arsenic for sale except under a license granted in this behalf by the District Magistrate and no person not possessing any such license shall sell any white arsenic.

III. The grant or withdrawal of a license to any applicant shall be at the discretion of the District Magistrate whose decision thereon shall be final.

IV. A fee of Re. 1 per annum shall be charged for each license granted under rule II and shall be paid before the grant of such license. The license shall be inscribed on a non-judicial impressed stamped paper of the appropriate value: provided that no fee shall be charged to any person who has already paid the annual fee for a license to possess poisons for sale under the rules framed under section 2 of the Act.

V. A license shall terminate on the death of the license holder.

VI. The District Magistrate may for any sufficient cause revoke or cancel any license granted under rule II.

VII. A license-holder shall effect every sale of white arsenic in person.

VIII. A license-holder shall not sell any white arsenic to any person unless the latter is personally known to him, or identified to his satisfaction. He shall not sell any white arsenic to any person who appears to him to be under the age of 18 or to any person who does not appear to him to be in full possession of his faculties, or to any wandering mendicant.

IX. A license-holder shall not sell white arsenic in a quantity exceeding one ounce at any one time and to any one person.

X. A license-holder shall maintain a register in which he shall enter all sales of white arsenic. The following particulars shall be entered in such register in respect of each sale, viz.:—

- (a) Name of poison.
- (b) Quantity sold.
- (c) Date of sale.
- (d) Name of purchaser.
- (e) Address of purchaser.
- (f) Purpose for which the white arsenic is stated to be required.
- (g) Signature of purchaser (or where the purchaser is illiterate, his thumb-mark).
- (h) Signature of vendor.

XI. A license holder shall maintain a stock register which shall contain the following particulars:—

- |  |   |                       |
|--|---|-----------------------|
| (a) Serial number.                                 | } | (e) Amount sold.      |
| (b) Date.  |   | (f) Balance in stock. |
| (c) Amount received.                               |   | (g) Remarks.          |
| (d) Name and address of person from whom received. |   |                       |

XII. Any Magistrate, any police officer of or above the rank of Sub-Inspector, or any medical officer of or above the rank of hospital assistant, may at any time visit and inspect the premises of a license holder where



white arsenic is kept for sale and may inspect the stock found therein and the registers.

XIII. White arsenic shall be kept in a separate locked almirah or box which shall have the word "poison" in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the poison contained in it and shall also have the word "poison" in English and vernacular painted upon it in red letters.

XIV. No white arsenic shall be kept otherwise than in securely closed receptacles of glass, tin or earthenware.

XV. When any white arsenic is sold it shall be securely packed and every packet sold shall be labelled by the vendor with a red label bearing the name of the poison in the vernacular and the number and date of the entry in the register of sales.

XVI. A license-holder shall not sell powdered white arsenic to any person unless the same is, before the sale thereof, mixed with soot, indigo, or Prussian blue in the proportion of half an ounce of soot, indigo, or Prussian blue at least to one pound of the white arsenic and so in proportion for any greater or less quantity.

XVII. When a license-holder also deals in white arsenic wholesale, the stock maintained for sale as defined in these rules shall be kept entirely distinct from any stock maintained for the purpose of wholesale transactions.

[Hyderabad Residency Orders, 1910, Pt 1, p. 64.]

Indian Railway  
Board Act, 1905  
Powers of the Rail-  
way Board.

No. 801, dated the 24th March 1905.  
No. 9940, dated the 17th December 1906.  
No. 2972, dated the 8th April 1907.  
No. 2140, dated the 28th February 1908.

} Printed in Appendix XVIII.

Indian Registration  
Act, 1908.  
Appointment of  
Inspector General of  
Registration.

No. 5, dated the 16th January 1904.—In exercise of the powers conferred by section 4 of the Indian Registration Act, III of 1877, as applied to the Hyderabad Residency Bazzars, the Cantonment of Secunderabad and Anranga-bad, and the railway lands in the territories of His Highness the Nizam \* \* the Resident at Hyderabad has appointed, with effect from the 16th October 1903, the First Assistant to the Resident at Hyderabad for the time being to be the Inspector General of Registration for the aforesaid areas in place of the Inspector General of Registration, Hyderabad Assigned Districts.

[Hyderabad Residency Orders, 1901, Pt. I, p. 58.]

<sup>1</sup> See now section 3 of the Indian Registration Act, 1908 (XVI of 1908), as applied by notification No. 692-L. H., dated the 22nd March 1913. Printed Vol. I, p. 227.

No. 215-J., dated the 24th October 1873.—With reference to the separate notification of this date, No. 211-J., the Governor General in Council is pleased, under the provisions of section 9 of Act VIII of 1871 (The Indian Registration Act, 1871)<sup>1</sup>, to declare the Cantonment of Secunderabad to be a sub-district for the purposes of the said Act.

The Governor General in Council is also pleased to appoint \* \* \* the Cantonment Magistrate of Secunderabad to be Registrar of the District. \* \*

[*Gazette of India*, 1873, Pt. I, p. 931]

No. 189-J., dated the 12th November 1878.—In modification of Foreign Department notification, dated the 24th October 1873, No. 215-J., the Governor General in Council is pleased, under the provisions of section 9 of Act III of 1877 (The Indian Registration Act, 1877)<sup>1</sup>, to appoint the Muharrir for the time being<sup>2</sup> [of the Office of the Registrar of the District] to be the Sub-Registrar of the sub-district of Secunderabad.

[*Gazette of India*, 1878, Pt. I, p. 62.]

No. 9, dated the 16th April 1891.—In pursuance of the notification of the Government of India in the Foreign Department, No. 3317-I., dated the 3rd October 1890, the Resident is pleased to declare that for the purposes of the Registration Act, III of 1877<sup>1</sup>, as applied to the Cantonment of Secunderabad, the Cantonment of Bolarum shall form a sub-district of the district of Secunderabad.

\* \* \* \*

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 76]

No. 39, dated the 25th September 1897.—With reference to the *Residency Orders* notification No. 9, dated the 16th April 1894, the Resident is pleased under section 7 of the Registration Act, III of 1877<sup>1</sup>, as applied to the Cantonment of Secunderabad, to transfer the Bolarum Sub-Registrar's office to Secunderabad and under section 6 of the said Act to appoint the Sub-Registrar of Secunderabad to be also the Sub-Registrar for Bolarum.

[*Hyderabad Residency Orders*, 1897, Pt. I, p. 18]

<sup>1</sup> See now the Indian Registration Act, 1908 (XXVI of 1908), as applied by notification No. 582-I B., dated the 22nd March 1913. Printed Vol I, p. 227.

<sup>2</sup> Superseded by notification No. 5, dated the 16th January 1904, on previous page.

<sup>3</sup> Superseded by notification No. 189 J., dated the 12th November 1878, on this page.

<sup>4</sup> See notification No. 35-J., dated the 20th February 1879 *Hyderabad Residency Orders*, 1879, Pt. I, p. 109.

<sup>5</sup> Superseded by notification No. 39, dated the 25th September 1897, on this page.

In Aurangabad.

No. 262, dated the 14th July 1891.—In pursuance of the notifications of

<sup>1</sup> No. 4045-I., dated the 2nd October 1891, Aurangabad and Jalna.

<sup>1</sup> No. 4607-I., dated the 23th November 1891, Mominabad.

the Government of India in the Foreign Department cited in the margin, the Resident is pleased to declare that, with effect from the 15th August 1894, and for the purposes of the Indian Registration Act

(III of 1877)<sup>2</sup>, the Cantonments of Aurangabad, <sup>3</sup> [Jalna and Mominabad] shall form one district, and that each of the said Cantonments shall be a sub-district of the said district \* \* <sup>4</sup>. The Resident is further pleased, under section 6 of the said Act, to appoint the Cantonment Magistrate of Aurangabad <sup>2</sup> [Jalna and Mominabad] for the time being to be Registrar of the District of Aurangabad, <sup>2</sup> [Jalna and Mominabad.]

[Hyderabad Residency Orders, 1894, Pt. I, p. 198].

No. 88-4., dated the 16th October 1912.—In exercise of the powers conferred, and in accordance with the directions given, by sections 5, 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied <sup>1</sup> to the Hyderabad Residency Bazars, the Resident is pleased to issue the following orders :—

- (1) For the purposes of the Act the Residency Bazars at Hyderabad shall form a district and also a sub-district.
- (2) The Superintendent of the Residency Bazars and the Chairman of the Residency Bazars Committee, Hyderabad, for the time being, shall be the Registrar of the District of the Residency Bazars, and the office of the Residency Bazars Committee shall be the office of the Registrar.
- (3) The Head Clerk for the time being of the office of the Superintendent of the Residency Bazars and Chairman of the Residency Bazars Committee, Hyderabad, shall be the Sub-Registrar for the sub-district of the Residency Bazars, and his office shall be the same as that of the Registrar.

[Hyderabad Residency Orders, 1912, Pt. I, p. 132.]

No. 12, dated the 5th May 1894.—In exercise of the power conferred by sections \* 5, 6 and 7 of the Indian Registration Act (III of 1877)<sup>2</sup> as applied to the lands in the territory of His Highness the Nizam of Hyderabad which are occupied, or may be hereafter occupied, by the Nizam's Guaranteed State

<sup>1</sup> See now notification No. 682-I. B., dated the 22nd March 1913 Printed Vol. I, p. 227.  
<sup>2</sup> See now the Indian Registration Act, 1908 (XXI of 1908), as applied by the notification cited in footnote 1 *supra*.  
<sup>3</sup> Jurisdiction in Jalna and Mominabad has been restored to the Hyderabad State.  
<sup>4</sup> Superseded by notification No. 5, dated the 16th January 1904, *supra* p. 172.

In the  
Residency  
Bazars.

In the  
railway lands  
other than  
those of the  
Hyderabad  
Golavari  
Valley  
Railway.

Railway Company, by the Great Indian Peninsula Railway, \*  
by the Madras Railway respectively \* \* the Resident at Hyderabad  
pleased to make the following orders:—

(1) \* \* \*

(2) For the purposes of the Act the aforesaid lands shall form a district<sup>3</sup> [and also a sub-district].

(3) \* [The Cantonment Magistrate at Secunderabad] for the time being shall be the Registrar of the said district and his office shall be the office of the Registrar.

<sup>3</sup> (4) The Superintendent of Railway Police shall be the Sub-Registrar of the said sub-district and his office shall be the office of the Sub-Registrar.

[*Hyderabad Residency Orders, 1894, Pt. I, p. 117.*]

No. 53, dated the 2nd October 1900.—In exercise of the powers conferred, <sup>In the lands of the Hyderabad Godavari Valley Railway.</sup> and in accordance with the directions given, by section 5 of the Indian Registration Act, III of 1877<sup>1</sup>, as applied to the lands which are occupied, or may hereafter be occupied, by the Hyderabad Godavari Valley Railway \* \* the Resident at Hyderabad is pleased to declare that for the purposes of the Act the aforesaid land shall form part of the district, and sub-district of the Registration district, comprising the railway lands in the territories of His Highness the Nizam of Hyderabad \* \*

[*Hyderabad Residency Orders, 1900, Pt. I, p. 240.*]

No. 190, dated the 15th October 1893.—The following rules framed under <sup>Rules for Secunderabad, Aurangabad, the Residency Bazar, and Railway Lands.<sup>2</sup></sup> section 69 of the Indian Registration Act, 1877<sup>3</sup>, and sanctioned by the Resident \* experimentally for six months, are hereby published for general information.

<sup>1</sup> The Dhond-Manmai Branch which was here mentioned has since been transferred to the administration of the Bombay Government

<sup>2</sup> Superseded by notification No. 5, dated the 16th January 1904. Printed *supra* p 172.

<sup>3</sup> Notified by a separate notification No. 31, dated the 17th August 1894 (*Hyderabad Residency Orders, 1894, Pt. I, p. 214*) but included here for convenience of reference.

<sup>4</sup> Substituted by notification No. 62, dated the 2nd October 1900 *Hyderabad Residency Orders, 1900, Pt. I, p. 239.*

<sup>5</sup> See now the Indian Registration Act, 1908 (XVI of 1908), as applied by notification No. 582-1. B, dated the 22nd March 1913. Printed Vol I, p 227

<sup>6</sup> These rules, which were made in the first instance for Berar, were permanently applied to Secunderabad by notification No. 160, dated the 24th July 1894 (*Hyderabad Residency Orders, 1894, Pt. I, p. 105*), to the Residency Bazar by notification No. 4, dated the 4th March 1894 (*Hyderabad Residency Orders, 1894, Pt. I, p. 44*) and to Railway Lands by notification No. 13, dated the 5th May 1894 (*Hyderabad Residency Orders, 1894, Pt. I, p. 112*). They apply to Aurangabad by virtue of notification No. 3694-1 B, dated the 7th October 1904, printed Vol. I, p. 305, footnote 1; to the Hyderabad Godavari Valley Railway by notification No. 53, dated the 2nd October 1900 (printed *supra*) which included those lands in the Railway Registration District; and to the Ringoli Branch Railway as part of the Nizam's Guaranteed State Railway to which they were applied by notification No. 13, dated the 5th May 1894

## PART I.—REGISTERS AND BOOKS.

*General.*

1. Registers and books shall be maintained according to the forms given in the appendices to these rules.

2. The following registers and books shall be kept in Registration offices :—

Book	I.	} As prescribed by section 51 of the Act. For all offices.	} In all offices.	
"	II.			
"	III.			
"	IV.			
"	V.—As prescribed by section 51 of the Act. In the offices of Registrars only.	} In all offices.		
"	VI.—Register of Powers of Attorney authenticated under section 33.			
"	VII.—Minute Book.			
"	VIII.—Fee Book.			
"	IX.—Cash Account Book.			
"	X.—Book of Receipt Forms.			
"	XI.—File Book of Applications.			

3. When any book, except a file book of applications, is issued by a Registrar, he shall, as required by section 16 of the Act, enter on the first page a certificate in the following form :—

*Certified that this book issued to the \_\_\_\_\_ contains \_\_\_\_\_  
pages numbered in print consecutively from 1 to \_\_\_\_\_ inclusive.  
Dated \_\_\_\_\_ Registrar,  
\_\_\_\_\_ District.*

4. It is the duty of every registering officer on receiving a new register to examine it and ascertain that it is paged as certified on the first leaf. If the paging he found correct, he shall certify to that effect under the issuing officer's certificate. If the paging be not correct, the register shall be at once returned to the issuing officer. In no case may the paging of a register be altered except with the written authority of the Inspector-General.

5. When a book is completed, the registering officer before putting it by in the almirah, shall examine it, and shall certify at the end of the book that the paging is correct according to the certificate of the issuing officer on the first page. If any discrepancy in the paging is found, he shall at once report to the Registrar.

6. In the same way on receipt of books from Sub-Registrars under rule 81, the Registrar shall cause them to be examined, and shall record a similar certificate at the end of the book under the Sub-Registrar's certificate.

7. The volumes of each register book shall be numbered in a consecutive series, which shall not terminate with the year, but shall be carried on perpetually.

8. Each volume of a register book is to be labelled thus :—

Sub-district \_\_\_\_\_  
 Volume No. \_\_\_\_\_  
 Book No. \_\_\_\_\_  
 For period.  
 from 18 to 18 .

9. A fresh numerical series of entries must be commenced each calendar year, as required by section 53.

10. If the amount of copying in any office is great, two volumes of books Nos. I or IV may, with the sanction of the Registrar, be used simultaneously. In this case, documents bearing even numbers should be copied into one, and those bearing odd numbers into the other.

11. When a copy of a registered document is transferred from one book to another by an order of the Registrar under section 68, the registering officer shall write the word *cancelled* in red ink across the copy erroneously made, and make an entry in the column of remarks to the following effect :—

*Transferred to Book No. \_\_\_\_\_ vide serial No. \_\_\_\_\_ 18 , under order  
 No. \_\_\_\_\_ dated \_\_\_\_\_ from Registrar.*

Book No. I.—*Register of non-testamentary documents relating to immoveable property.*—For form see Appendix No. I.

12. If a document affects moveable property as well as immoveable, it shall nevertheless be copied into Book No. I.

13. In addition to the entries which have to be made in this book, the following documents have to be filed :—

- (a) Copies of maps and plans (section 61).
- (b) Copies and translations (section 62).
- (c) Copies and memoranda of documents received from other offices under sections 64 to 67 of the Registration Act.
- (d) Copies of certificates granted by officers under the Land Improvement Loans Act, 1[1883] (section 89).

<sup>1</sup> Substituted by notification No. 410, dated the 22nd November 1891. *Mysderabad Residency Orders*, 1894, Pt. I, p. 325

- (e) Copies of certificates of sale of immuevable property granted by Civil Courts under section 316, Civil Procedure Code (section 89).

14. To prevent the injury to binding which results from the introduction of these documents into the bound registers, a separate file book, to be called "*Supplementary Book No. I*" will be kept in each office, in which the abovementioned documents shall be filed.

15. When a document <sup>1</sup>[referring to property other than fields with Survey Nos.] registered in Book No. I affects another document also registered, a note shall be made in the column of remarks opposite the copy of each document referring to the other document thus :—

Vide Serial No. \_\_\_\_\_ of 18 .

16. When a copy of a map or plan is filed under section 61 in the Supplementary Book, a note of the pages on which it is filed shall be made in Book No. I in the column of "remarks."

17. A similar note shall be made with reference to the translation and copy of a document registered under section 62.

18. On every copy of a plan, map or document, and on every translation filed in Supplementary Book No. I, a note shall be recorded thus :—

"Relates to Serial No. \_\_\_\_\_ of 18 , copied in volume \_\_\_\_\_ Book No. I."

19. To every copy, memorandum, or copy of a map or plan filed in Supplementary Book No. I, shall be given a serial number, which shall be quoted in Indexes I and II as hereinafter provided.

20. When under section 39 of Act I of 1877 (The Specific Relief Act), a decree directing cancellation of a registered document is received, the registering officer shall make an entry in the column of remarks to the following effect :—

In Serial No. \_\_\_\_\_ in the Court of \_\_\_\_\_

Plaintiff (name).

Defendant (name).

By decree made in the above suit this document was ordered to be cancelled.

This endorsement shall be signed and dated by the registering officer.

21. When, under section 31 of the same Act, a Court has ordered rectification of a registered document, and fresh registration of the rectified

<sup>1</sup> Added by notification No. 61, dated the 23rd February 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 37.

document is applied for, a note shall be made in the column of remarks opposite the copy of the original documents to the following effect :—

*For copy of this document as rectified under section 31 of Act I of 1877, vide Serial No. \_\_\_\_\_ Volume \_\_\_\_\_ Book No. \_\_\_\_\_ of 18 .*

22. Opposite the copy of the rectified document, a note to the following effect shall be recorded in the column of remarks :—

*This is a copy of the document as rectified under section 31 of Act I of 1877 ; for copy of original document, vide Serial No. \_\_\_\_\_ Volume \_\_\_\_\_ Book No. \_\_\_\_\_ of 18 .*

notes will be dated and signed by the registering officer.

Form No. II.—*Record of reasons for refusal to register.*—For form of

Register see Appendix No. II.

23. The following are valid reasons for refusal to register :—

(a) That the document being dutiable under the " Court Fees Act, 1870," is not properly stamped.

(b) That the document has been presented by a person not authorized by law to present it, sections 32 and 40.

That an alleged representative, assign, or agent has failed to prove his status within the period allowed for the appearance of executing parties by the Act, section 34.

That by late presentation under sections 23—26 or late appearance of executing parties, or of their representatives, assigns, or duly authorised under section 34, the registration of the document is time-barred.

That the document is denied, or that the person by whom the document is to have been executed is a minor, an idiot, or a lunatic, or that he is dead, and his representative or assign has failed to prove that the persons by whom the document has been executed have failed to satisfy the requirements of their identity within the period allowed for the appearance of parties by the Act.

That the document is void under the Indian Stamp Act, 1899, or that the document, under that Act, has been represented without the sanction of the Collector under section 44 (a) or 45.



- (e) Copies of certificates of sale of immoveable property granted by Civil Courts under section 316, Civil Procedure Code (section 89).

14. To prevent the injury to binding which results from the introduction of these documents into the bound registers, a separate file book, to be called "*Supplementary Book No. I*" will be kept in each office, in which the abovementioned documents shall be filed.

15. When a document <sup>1</sup>[referring to property other than fields with Survey Nos.] registered in Book No. I affects another document also registered, a note shall be made in the column of remarks opposite the copy of each document referring to the other document thus :—

*Vide Serial No. \_\_\_\_\_ of 18 .*

16. When a copy of a map or plan is filed under section 61 in the Supplementary Book, a note of the pages on which it is filed shall be made in Book No. I in the column of "remarks."

17. A similar note shall be made with reference to the translation and copy of a document registered under section 62.

18. On every copy of a plan, map or document, and on every translation filed in Supplementary Book No. I, a note shall be recorded thus :—

*"Relates to Serial No. \_\_\_\_\_ of 18 , copied in volume \_\_\_\_\_ Book No. I."*

19. To every copy, memorandum, or copy of a map or plan filed in Supplementary Book No. I, shall be given a serial number, which shall be quoted in Indexes I and II as hereinafter provided.

20. When under section 39 of Act I of 1877 (The Specific Relief Act), a decree directing cancellation of a registered document is received, the registering officer shall make an entry in the column of remarks to the following effect :—

*In Serial No. \_\_\_\_\_ in the Court of \_\_\_\_\_*

*Plaintiff (name).*

*Defendant (name).*

*By decree made in the above suit this document was ordered to be cancelled.*

This endorsement shall be signed and dated by the registering officer.

21. When, under section 31 of the same Act, a Court has ordered rectification of a registered document, and fresh registration of the rectified

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<sup>1</sup> Added by notification No. 61, dated the 23rd February 1891. *Hyderabad Residency Orders, 1891, Pt. I, p. 37.*

document is applied for, a note shall be made in the column of remarks opposite the copy of the original documents in the following effect:—

*For copy of this document as rectified under section 31 of Act I of 1877, vide Serial No. \_\_\_\_\_ Volume \_\_\_\_\_ Book No. \_\_\_\_\_ of 18 .*

22. Opposite the copy of the rectified document, a note to the following effect shall be recorded in the column of remarks:—

*This is a copy of the document as rectified under section 31 of Act I of 1877; for copy of original document, vide Serial No. \_\_\_\_\_ Volume \_\_\_\_\_ Book No. \_\_\_\_\_ of 18 .*

These notes will be dated and signed by the registering officer.

Book No. II.—*Record of reasons for refusal to register.*—For form of

Register see Appendix Nn. II.

23. The following are valid reasons for refusal to register:—

- (a) That the document being dutiable under the "Court Fees Act, 1870," is not properly stamped.
- (b) That the document has been presented by a person not authorized by law to present it, sections 32 and 40.
- (c) That an alleged representative, assign, or agent has failed to prove his status within the period allowed for the appearance of executing parties by the Act, section 34.
- (d) That by late presentation under sections 23—26 or late appearance of executing parties, or of their representatives, assigns, or agents duly authorized under section 34, the registration of the document is time-barred.
- (e) That execution is denied, or that the person by whom the document purports to have been executed is a minor, an idiot, or a lunatic: or that he is dead, and his representative or assign denies execution: or that the persons by whom the document purports to have been executed have failed to satisfy the registering officer of their identity within the period allowed for the appearance of executing parties by the Act.
- (f) That a document impounded under the Indian Stamp Act, <sup>1</sup>[1890], or rules framed under that Act, has been represented without an endorsement by the Collector under section <sup>1</sup>[40 (a) or 42] of that Act.

<sup>1</sup> Substituted by notification No. 124, dated the 23rd May 1902. *Hyderabad Residency Orders*, 1902, Pt. I, p. 143.

(g) That fees and costs of registration having been demanded under section 80 of the Act have not been paid.

(h) That a document having been presented and returned for amendment because it is not accompanied by a true translation and a true copy or by true copy of map or plan, is again presented without such translation or copy, sections 19 and 21.

24. The reasons for refusal to register shall be entered in Book No. II as soon as it has been decided to refuse registration. On the document only the words "Registration refused," with the date and the signature and title of the registering officer shall be endorsed. The endorsement shall be duly sealed.

25. When a document, which has been refused registration, is subsequently registered by order of the Registrar under section 72 or 75, or of a Civil Court under section 77, a note showing the date of the order, its nature and the authority issuing it, shall be made in the appropriate column of Book No. II.

26. Registration shall not be refused on grounds such as the following:—

- (a) That any person claiming under or executing the document does not wish it to be registered.
- (b) That the document deals with property not belonging to the parties by whom it purports to have been executed.
- (c) That the transaction is fraudulent or opposed to public policy.
- (d) That the document was executed under coercion, or by fraud, or under misrepresentation.

27. The reasons for refusal should be entered in sufficient detail to enable an appellate or inspecting officer to judge of their validity.

28. When under section 35 of the Registration Act as amended by Act XII of 1879, registration is admitted as to some of the parties to a document, but refused as to others, the document shall be thus endorsed:—

*Registration refused as to\** \_\_\_\_\_

Name and additions.\*

and the reasons for the partial refusal shall be entered in Book No. II. Regi-

stration shall proceed as to the parties with regard to whom registration is admitted in the usual manner.

29. When after refusal to register, registration is ordered by the Registrar under section 72 or 75, or by a Court under section 77, on re-presentation of the document, the registering officer shall endorse it as follows:—

*Registration ordered by* \_\_\_\_\_ *in order No.* \_\_\_\_\_ *, dated* \_\_\_\_\_

(Signed) \_\_\_\_\_  
Registering Officer.

Book No. III.—*Register of Wills and authorities to adopt*.—The form is given as Appendix No. I.

30. The provisions of sections 64 and 65 regarding the issue of memoranda are not applicable to wills.

31. In this book will be *filed* translations and true copies of wills and authorities to adopt registered (*vide* section 62).

32. *Deeds of adoption* should not be copied into this book, but into Book No. IV.

Book No. IV.—*Miscellaneous register*.—The form is given as Appendix No. I.

33. In this book shall be filed translations and true copies of documents which fall to be registered in it (section 62).

Book No. V.—*Register of Deposits of Wills*.—For form see Appendix No. III.

34. When under section 259, Act X of 1865, "*The Indian Succession Act*," a will is removed by order of a Court, entries will be made in columns 10, 11, 12 and 13 of the register.

35. When a will is forwarded to any Court under section 46 of the Act, it shall be accompanied by a memorandum of the fee for opening the cover and copying charges, and it shall be the duty of the Court to levy and remit such fees to the Registrar.

[35-A. When under section 45 of the Act, the cover containing a will has been opened and the contents thereof have been copied into Book No. III, before re-depositing the will, the District Registrar shall re-seal the cover with his official seal and shall make on the cover an endorsement in the following form:—

"Sealed cover opened on the application of \_\_\_\_\_, son of \_\_\_\_\_, on the \_\_\_\_\_ 189\_\_\_\_, and contents thereof copied into Book No. III as serial No. \_\_\_\_\_ of 189\_\_\_\_.]

Book No. VI.—*Register of Powers of Attorney authenticated*.—Will be kept in form of Appendix No. IV.

36. In this register will be entered details of powers of attorney authenticated under section 33 of the Act by the Registrar or Sub-Registrar. No power of attorney can be *authenticated* unless it has been *executed* before the

<sup>1</sup>Added by notification No. 409, dated the 22nd November 1891. *Hyderabad Residency Orders*, 1894, Pt. I, p. 324

registering officer, provided that in the case of a general power of attorney, a clause may be added in the presence of the registering officer conferring on the agent authority to act under the Registration Act: and such clause may then be authenticated under section 33.

37. The authentication certificate shall be in one of the forms given in Appendix No. V, and if in addition to being authenticated the power is also registered, the authentication certificate shall be copied with the power.

Book No. VII.—*Minute Book*.—Form as in Appendix No. VI.

38. In this book shall be recorded the following entries:—

- (1) Reasons of Registrar for declining to register a document presented to him for registration—*vide* rule 145.
- (2) The name of presenter, date of presentation and return for amendment, with the nature and reasons for return of a document returned for amendment under rule 122.
- (3) Substance of statement made by a person examined on oath under section 63.
- (4) The cause of delay in the completion of registration of any document, when such document is not registered on day of presentation (*see* rule 39).
- (5) Nature of documents impounded under the Indian Stamp Act with date of impounding and names of parties to the document who have appeared before the registering officer.
- (6) The date of issue of a memorandum or copy under sections 64—65 with serial number of document to which it refers and the office to which sent.
- (7) The following particulars regarding applications lodged under sections 24 and 34 of the Registration Act, *viz.*:—
  - (a) Date of application being lodged.
  - (b) Date of forwarding it to Registrar.
  - (c) Date of its being received back from Registrar.
  - (d) Date of communication of Registrar's order to applicant.
- (8) Reasons for non-compliance with applications for inspection of copies.
- (9) Special reasons for visit under sections 31, <sup>1</sup>[33 and 35] with date of departure and return.
- (10) Details of all notices issued and other miscellaneous proceedings of registering officers.

<sup>1</sup> Added by notification No. 218, dated the 23rd July 1891. *Hyderabad Residency Orders*,

- (11) Note of delivery of any authenticated copy under section 1[46] of the Indian Stamp Act, with the nature and date of document and names of parties.

39. When under rule 38, clause (4), delay is caused to allow identity to be established or status proved, the minute shall expressly state whether the delay is caused by the absence of witnesses, or whether witnesses produced do not establish identity or prove status to the satisfaction of the registering officer. In the latter case the names of witnesses shall be entered, and the registering officer's reasons for not being satisfied with their evidence of identity.

**Book No. VIII.—Fee Book** —Forms as in Appendix No VII.

40. Fees shall be credited in the Fee Book immediately on realization, the nature of the fee credited being distinctly shown.

41. Fees leviable for the registration and copying of documents are payable on demand made by the registering officer. Such demand should be made as soon as the registering officer accepts the document for registration, *vide* rule 112, or in the case of powers of attorney for authentication.

42. Demand for fees and travelling allowance for visits or the issue of commission, also for searches, and for granting copies of reasons, entries and documents, should be made when the registering officer has decided to comply with the application.

43. Fees for memoranda and copies prepared by Sub-Registrars under sections 64 and 65 shall be demanded at the same time as the fees for the registration of the document to which the memorandum refers. The same rule applies to memoranda and copies prepared by Registrars under section 66. \* \* \* Fees levied for memoranda and copies under sections 64—66 cover postal charges.

44. To ascertain the amount of copying fees due, the following method may be adopted:—

When a document is so long as to make it inconvenient to count each word, count the number of words in five lines taken at random, divide the number thus found by 5, multiply the average number of words in each line thus ascertained by the number of lines in the document; divide by 100 to find the number of folios. A fraction of a folio is counted as a whole folio.

45. Entries in Fee Books are to be totalled \* \* \* on each occasion of a remittance to the treasury. [In offices where daily remittances are not made entries are to be totalled daily as well as when remittances are made];

<sup>1</sup> Substituted by notification No. 124, dated the 23rd May 1902. *Hyderabad Residency Orders*, 1902, Pt. 1, page 143.

<sup>2</sup> Omitted by notification No. 43, dated the 12th March 1857. *Hyderabad Residency Orders*, 1857, Pt. 1, p. 30.

<sup>3</sup> Omitted (by notification No. 380, dated the 22nd December 1890. *Hyderabad Residency*

<sup>4</sup> Inserted { *Orders*, 1891, Pt. 1, p. 3.

and the registering officer, after comparing the cash in hand with the amount of collections, shall initial the total. The books shall also be totalled monthly, *i.e.*, on date of closing the month's accounts.

46. A copy of the fee table in vernacular and English shall be affixed to a notice board and exposed to public view, in a conspicuous place in all registering offices during office hours.

47. Fees are not leviable for copies of reasons for refusal to register granted by a Sub-Registrar, but for copies given by Registrars copying fees should be levied. If such reasons are in the vernacular, or if being in English the Registrar's mohurrir can copy them, copying fees at the ordinary rates will be levied. If they are in English and the Registrar's mohurrir cannot copy them, they will be copied under the arrangements in force for granting copies of decrees of courts.

48. Refunds of fees are claimable under the following circumstances, provided that claim for refund is lodged within three months of refund becoming claimable—

- (a) Fees charged in excess of the authorised scale.
- (b) Fees paid for the registration and copying of documents, registration of which has been finally refused.
- (c) Fees paid for the registration, etc., of documents of which the registration is invalid under sections 28 and 29 of the Act.
- (d) Fees paid for a visit (sections 31, 33, and 38) or issue of a commission (sections 33 and 38) if such visit is not paid, or commission issued.
- (e) Fines paid and subsequently remitted by Inspector-General of Registration under section 70 of the Act.

49. A registering officer may refund fees he has collected under clauses (a), (b), (c) above without reference to higher authority, if the mistake he made in collecting them is discovered before the fees have been remitted to the treasury. Any amount so refunded will be deducted from the total amount of the day's collection entered in the Fee Book, particulars being given.

50. If the mistake is not discovered until after the fees have been remitted to the treasury, the party interested should be informed that a refund of the fees paid by him (or a portion of them as the case may be) is claimable. On the receipt of his application, the Sub-Registrar should submit it to the Registrar with his remarks. The Registrar will check the claim and if it appears allowable, will remit from his permanent advance the amount claimed to the Sub-Registrar for delivery to the claimant. The Registrar will recover the amount by submission to the Inspector-General of a "bill for

refund "[in form prescribed in Civil Account Code"] supported by the receipt of the claimant.

Book No. IX.—*Cash Account Book*—Form as in Appendix IX.

51. In this book shall be entered all transactions which do not fall to be entered in the Fee Book, *e. g.*, receipt and disbursement of pay of establishment, refunds of fees received from Registrar, process fees, etc. The book should be balanced at the close of each day on which there have been any entries, and should be initialled by registering officer.

Book No. X.—*Book of Receipt Forms*.—Form given in Appendix No. X.

52. The receipt shall be given to the presenter of a document as soon as the registering officer takes the deed out of the presenter's possession. This would ordinarily be when he accepts the document for registration.

53. The receipt shall be produced by the presenter of the document when he comes to receive it after registration, and the receipt shall then be attached to the foil in the receipt book. If the person, who presented the document is unable to produce the receipt, the document may be returned to him on his giving a written receipt for it, which should be attached to the foil of the lost receipt.

54. The document may not be returned to any one but the person who presented it unless the person claiming to receive the document produces the original receipt with the presenter's endorsement thereon authorising him to receive it.

55. When returning the document, the registering officer shall satisfy himself by enquiry from the person receiving it that he has paid no more than the amount of fee entered in the receipt.

56. Registrars shall give a receipt for each will contained in a sealed cover which may be deposited with them, "[and shall at the same time give the depositor notice in writing that no steps will be taken by Government to ascertain when the testator dies or to communicate after his death with the beneficiaries under the will]."

57. Receipts shall also be given for all applications which a registering officer decides to comply with and on which he levies fees, and the applicant shall return the receipt when his application is complied with.

Book No. XI.—*File Book of Applications*.

58. In this book will be filed all applications complied with.

59. Applications complied with before being filed in this book, shall be endorsed with a serial number, the date of receipt, date and mode of compliance, and the amount of fees levied.

<sup>1</sup> Substituted by notification No. 151, dated the 26th April 1895 *Hyderabad Residency Orders*, 1895, Pt. I, p. 103.

<sup>2</sup> Added by notification No. 221, dated the 9th July 1893. *Hyderabad Residency Orders*, 1893, Pt. I, p. 231.



and the registering officer, after comparing the cash in hand with the amount of collections, shall initial the total. The books shall also be totalled monthly, *i.e.*, on date of closing the month's accounts.

46. A copy of the fee table in vernacular and English shall be affixed to a notice board and exposed to public view, in a conspicuous place in all registering offices during office hours.

47. Fees are not leviable for copies of reasons for refusal to register granted by a Sub-Registrar, but for copies given by Registrars copying fees should be levied. If such reasons are in the vernacular, or if being in English the Registrar's mohurrir can copy them, copying fees at the ordinary rates will be levied. If they are in English and the Registrar's mohurrir cannot copy them, they will be copied under the arrangements in force for granting copies of decrees of courts.

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- (a) Fees charged in excess of the authorised scale.
- (b) Fees paid for the registration and copying of documents, registration of which has been finally refused.
- (c) Fees paid for the registration, etc., of documents of which the registration is invalid under sections 28 and 29 of the Act.
- (d) Fees paid for a visit (sections 31, 33, and 38) or issue of a commission (sections 33 and 38) if such visit is not paid, or commission issued.
- (e) Fines paid and subsequently remitted by Inspector-General of Registration under section 70 of the Act.

49. A registering officer may refund fees he has collected under clauses (a), (b), (c) above without reference to higher authority, if the mistake he made in collecting them is discovered before the fees have been remitted to the treasury. Any amount so refunded will be deducted from the total amount of the day's collection entered in the Fee Book, particulars being given.

50. If the mistake is not discovered until after the fees have been remitted to the treasury, the party interested should be informed that a refund of the fees paid by him (or a portion of them as the case may be) is claimable. On the receipt of his application, the Sub-Registrar should submit it to the Registrar with his remarks. The Registrar will check the claim and if it appears allowable, will remit from his permanent advance the amount claimed to the Sub-Registrar for delivery to the claimant. The Registrar will recover the amount by submission to the Inspector-General of a "bill for

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54. The document may not be returned to any one but the person who presented it unless the person claiming to receive the document produces the original receipt with the presenter's endorsement thereon authorising him to receive it.

55. When returning the document, the registering officer shall satisfy himself by enquiry from the person receiving it that he has paid no more than the amount of fee entered in the receipt.

56. Registrars shall give a receipt for each will contained in a sealed cover which may be deposited with them, <sup>2</sup>[and shall at the same time give the depositor notice in writing that no steps will be taken by Government to ascertain when the testator dies or to communicate after his death with the beneficiaries under the will].

57. Receipts shall also be given for all applications which a registering officer decides to comply with and on which he levies fees, and the applicant shall return the receipt when his application is complied with.

Book No. XI.—*File Book of Applications*.

58. In this book will be filed all applications complied with.

59. Applications complied with before being filed in this book, shall be endorsed with a serial number, the date of receipt, date and mode of compliance, and the amount of fees levied

<sup>1</sup> Substituted by notification No. 154, dated the 25th April 1895. *Hyderabad Easendy Orders*, 1895, Pt. I, p. 103.

<sup>2</sup> Added by notification No. 221, dated the 9th July 1894. *Hyderabad Easendy Orders*, 1895, Pt. I, p. 231.

## PART II.—INDEXES.

60. <sup>1</sup>[Indexes Nos. I and IV shall be in the form of Appendix No. XI, Index No. II in Registrars' offices shall be in the form of Appendix XII-A; in Sub-Registrars' offices in that of XII-B. The form of Index No. III is given in Appendix XIII.]

61. Indexes <sup>2</sup>[I, III and IV] shall be prepared alphabetically, one or more sheets being allotted to each letter of the alphabet, and entries <sup>3</sup>[in all indexes] shall be made immediately a document has been copied or a memorandum or a copy of a certificate filed.

62. The first letter of the name of a person if a native, and of the surname if a European or Eurasian, shall be the guide to the letter under which the entry is to be made.

63. In the case of certified copies of decrees or orders of courts, the names of plaintiffs and defendants, appellants and respondents, petitioners and opposite parties shall be the names recorded.

64. In the case of copies of certificates under the Land Improvement Act, 1871, Government ("Sirkar") will be indexed as executant, and the person to whom the certificate is granted as claimant.

65. In the case of copies of certificates of sale of immoveable property under section 316, Civil Procedure Code, filed under section 89 of the Registration Act, or registered, both Government ("Sirkar") and the judgment-debtor will be indexed as executants, and the purchaser as claimant.

66. When agreements to lease entered into with Collectors under section 323, Civil Procedure Code, are registered, the lessee will be indexed as executant, and both Government ("Sirkar") and the judgment-debtor as claimants.

67. If a document be executed by an authorized agent for the principal or by a guardian for a minor, the names both of agent and principal, guardian and minor, shall be indexed thus—

A. B. as agent or guardian for C. D.

C. D. by his agent or guardian A. B.

68. The same rule holds with regard to documents executed by authorized agents for companies, both the name of the agent and the company being indexed.

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<sup>1</sup> P. 11, notified by notification No. 36, dated the 22nd February 1899. *Hyderabad Residency*  
<sup>2</sup> P. 17.

<sup>3</sup> 10th May 1891. *Hyderabad Residency Orders*,  
 1891, Pt. I, p. 111.

69. When there are several executors, the name of each shall be indexed thus—

Narayan Rao and three others

70. The index entries of copies, memoranda, or certificates filed in Supplementary book No. I shall be made in red ink.

71. <sup>1</sup>[Blank] index forms will be supplied in loose sheets. <sup>2</sup>[Those for Indexes I, III, and IV] as they are filled in, shall be tacked together in alphabetical order, and shall be bound up at the end of each calendar year in book form. They shall be permanently retained in the office to the books of which they refer.

72. Separate sheets of indexes shall not be used for each month, but entries shall be made in each sheet until it is filled in or until the end of the year.

73. <sup>3</sup>[A current index, No. II-A, will be prepared in Registrars' offices the entries being made consecutively as documents are registered during the year. At the end of the year the entries will be copied out in alphabetical order according to the names of the villages or towns. This will be the permanent index

Index No. II-B for offices of Sub-Registrars will be for ten years' entries. In this index each village in a sub-district will have an index of its own, sub divided into three parts according to the nature of the property affected by the documents registered—

1. Survey fields.
2. Houses and buildings.
3. Other property (such as timber, hereditary allowances, inam land, etc.)

Villages will be entered in alphabetical order.

In each sub-registry office Index No. II-B will be bound up in volumes of a convenient size, each containing ordinarily not more than 400 pages, each volume being labelled thus—

INDEX No. II-B.	
	<i>Sub-District.</i>
	<i>District.</i>
From the years 1891 to 1900.	
Villages	to

<sup>1</sup> The original rule 71 was omitted, and the original rules 72 and 73 were re-numbered, as here 71 and 72 by notification No. 36, dated the 22nd February 1889. *Hyderabad Residency Orders*, 1889, Supplement p. 17.

<sup>2</sup> Inserted  
<sup>3</sup> Substituted } by the notification quoted in footnote 1.

A document which refers to property of more than one description will be indexed in each of the divisions under which any of the property comes.]

74. <sup>1</sup>[Copies of Indexes I and III shall be sent by each Sub-Registrar to the Registrar of his district twice a year, *viz.*, on 1st January and 1st July.

A copy of Index No. II-B will be sent at the end of the ten years to which it refers]

<sup>2</sup>[The copy of the index will be written up as entries are made in the original index.]

75. On receipt of the copies of Sub-Registrars' Indexes <sup>3</sup>[Nos. I and III] the Registrar shall cause the entries to be checked, and all errors and omissions to be rectified. At the close of the year the copies shall be bound up in volumes of convenient size the index <sup>4</sup>[of each sub-district being] bound separately. If the copies of indexes of any sub-district for a year are insufficient to make up a volume of convenient size, they should be retained unbound until other years' indexes are received, when two or more years' indexes of the same sub-district should be bound into one volume.]

76. <sup>1</sup>[Each index book before being placed in the Registrar's record-room or almirah shall have a label affixed to it showing—

(a) Index No.

(b) Year or years to which the entries refer.

(c) Name of sub-district. <sup>4</sup> \*

(d) (In the case of Index No. II-B.) The name of the first and last villages contained in the index.]

### PART III.—CUSTODY AND DESTRUCTION OF RECORDS.

77. Almirahs or suitable boxes fitted with reliable locks shall be provided in each office for the safe custody of office books, records and seal, which shall be kept therein. The key and the office seal shall be in the custody of the registering officer, and not of the mohurrir.

78. The office of every Registrar shall be provided with an iron fire-proof safe, the key of which shall always remain with the Registrar. The safe shall never be opened except in the Registrar's presence, and he may not leave it until it is securely closed. The safe shall be kept in the record room of the District Judge and is available for the custody of wills under the Indian Succession Act.

<sup>1</sup> Substituted by notification No. 36, dated the 22nd February 1889. *Hyderabad Residency Orders*, 1891, Part I, p. 3.

<sup>2</sup> Inserted in *Orders*, 1889, Supplement p. 17.

<sup>3</sup> Added by notification No. 380, dated the 22nd December 1890. *Hyderabad Residency Orders*, 1891, Part I, p. 3.

<sup>4</sup> See Notification No. 299, dated the 2nd October 1893. *Hyderabad Residency Orders*, 1893, Part I, p. 101.

79. In forwarding his monthly returns, the Registrar shall certify that he has opened the safe since the submission of last returns, and has found its contents correct and in good order.

80. If a court directs the production of any book or document in the custody of a registering officer, it shall be sent in charge of a registration official, and application made to the court for his expenses.

81. Every Registrar's office shall be a central office of records for the district. In the month of January of each year, Sub-Registrars shall transfer to the Registrar's office books Nos. 1 (with Supplementary Book No. I), 2, 3, 4, <sup>1</sup>[and 6] when the last entries made in them bear dates not later than five years before, *e.g.*, on 1st January 1882, books, the last entries in which are not later than 31st December 1876, will be sent to the Registrar.

82. The books and registers transferred under the above rule and their indexes shall be preserved in perpetuity by Registrars: this rule applies to these books in Registrars' offices and to Book No. V.

83. Books <sup>1</sup>[VII], VIII, IX, X and XI, when filled in and bearing a last date five years back, may be destroyed in the month of January under the orders of Registrars, but not otherwise.

84.     \*     \*     \*     \*     \*     \*     \*     \*     \*     \*

85. When a Sub-Registrar proposes to destroy records, he shall submit a list of the records to be destroyed to his Registrar, who, after scrutiny, shall pass order thereon, distinctly specifying any documents in the list which may not be destroyed, and return it to the Sub-Registrar. The Sub-Registrar shall carry out the orders of the Registrar, and certify that he has done so at foot of the list, which he shall then file in his office.

86. When an applicant fails to appear to receive copy of a document he has applied for, the copy should be kept two months from date on which it was ready for delivery. A service bearing notice should then be sent to applicant warning him that the copy will be destroyed, if not claimed within one month from date of notice. If he does not appear to claim it within that time or pay postage to have it sent to him, it shall be destroyed.

87. When a document has been on the unclaimed list for 22 months notice is to be given, by service bearing letter, to the person who presented it and to the person who executed it (if it was not presented by the executant) in the form of Appendix No. XIV. The date on which and the name of person to whom notice was sent should be endorsed on the document.

<sup>1</sup> See notification No. 132, dated the 17th June 1882. *Hyderabad Escheatry Orders*, 1882, Part I, p. 121.

<sup>2</sup> Cancelled by notification No. 80, dated 22nd February 1887. *Hyderabad Escheatry Orders*, 1887, Part I, p. 32.

88. If the document be not claimed and custody fees paid within two months from date of the notice, a Sub-Registrar shall report to his Registrar for orders; the Registrar shall exercise his discretion as to the destruction or further retention of the document. If the document be in the Registrar's office, he shall proceed in the same way. In no case, however, shall a document be kept on the unclaimed list longer than 30 months.

89. When the destruction of an unclaimed document has been ordered, a note shall be entered in the column of remarks of the book in which it is registered or at foot of reasons for refusal in Book No. II, if it had been refused registration. The note shall be in the following form—

*The document, of which this is copy, was destroyed before me on this \_\_\_\_\_ day of \_\_\_\_\_ 18 , it having been in the unclaimed list of this office from the \_\_\_\_\_ day of \_\_\_\_\_ 18 , and due notice of intended destruction under Rule 87 having been sent to \_\_\_\_\_, son of \_\_\_\_\_ and \_\_\_\_\_ son of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 18 .*

*Signature and official title of Registering Officer.*

#### PART IV.—LANGUAGES COMMONLY USED AND TERRITORIAL DIVISIONS RECOGNIZED.

90. In offices<sup>1</sup> of Sub-Registrars the language deemed to be commonly used shall be Marathi.

91. In offices<sup>1</sup> of Registrars both English and Marathi shall be deemed to be commonly used.

92. The territorial divisions to be recognized under section 21 of the Act are the village or township, the taluqa and the district.

#### PART V.—FINES.

93. Fines under sections 24 and 34 of the Act shall be regulated by the following scale:—

- (a) Where the delay does not exceed one month,  $2\frac{1}{2}$  times the proper registration fee.

<sup>1</sup> The languages deemed to be commonly used in these offices are—

- (a) in Secunderabad (and therefore Aurangabad), English and Urdu. See notification No. 6, dated the 23rd January 1884. *Hyderabad Residency Orders*, 1884, Part I, p. 14.  
 (b) the Residency Buzars, English and Urdu. See notification No. 4, dated the 4th March 1891. *Hyderabad Residency Orders*, 1891, Part I, p. 44.  
 (c) the Railway lands, English. See notification No. 82, dated the 23rd August 1891. *Hyderabad Residency Orders*, 1891, Part I, p. 245.

- (b) Where the delay exceeds one month, but is not more than two months, 5 times the amount of the proper registration fee.
- (c) Where the delay exceeds two months, but is not more than three months, 7½ times the amount of the proper registration fee.
- (d) Where the delay exceeds three months, 10 times the amount of the proper registration fee.

Fines do not include, but are in addition to, ordinary registration fees.

NOTE.—By clause 2, section 3, General Clauses Act, 1868,<sup>1</sup> the date of execution of a document is excluded from the period of delay. So also is the date of making a decree or order of a Court and the date on which a decree or order becomes final.

94. Applications for remission of fines under section 70 may be lodged with registering officers. If an application be so lodged, it shall be at once forwarded to the Registrar, who shall submit it with his remarks for the orders of Inspector-General.

## PART VI.—INSPECTIONS AND SEARCHES.

95. For the sake of convenience, the provisions of the law regarding the books, etc., open to search and inspection are here given :—

*Book No. I and Index I and II*.—Are open to inspections by any person applying, and copies of entries in the book must be given to such persons.

*Book No. II*.—Is open to inspection by any person applying, and copies of entries in the book must be given to such person.

*Book No. III and Index No. III*.—Inspection not allowed. Search may be made only by the registering officer. Copies of entries in book and index may be given only to persons executing the documents to which such entries relate, or to their agents during the life-time of executants. After death of executants, copies of entries may be given to any person applying for the same.

*Book No. IV and Index No. IV*.—Inspection not allowed. Search may be made only by the registering officer. Copies of entries in book and index may be given only to persons executing or claiming under the documents to which such entries refer or to their agents or representatives.

*Book No. V*.—Inspection not allowed. Copies may not be given to any one.

<sup>1</sup> See now section 9 of the General Clauses Act, 1897 (X of 1897), as applied to the Administered Areas. Vol. I, p. 237.



96. Every application for a copy, search or inspection, shall be made in writing. Applications for copies must bear a one anna court fee stamp, or they shall be rejected.<sup>1</sup> \* \* \*

<sup>2</sup>[96A. On the written application of a Revenue Officer not below the rank of Tahsildar made in his official capacity, a Sub-Registrar shall furnish him with any information required in regard to immovable property registered in Book No. I.]

97. All inspections shall be made in the presence of the registering officer.

98. A person inspecting shall not be allowed to have access to any writing materials while inspecting: he may not make any copy or memorandum. If he requires it, the registering officer shall give him, free of charge, a note showing the serial number and date of registration of any document of which he wishes to apply for a copy.

99. No one but the registering officer or a muhurir attached to his office shall be allowed to copy into or from the books or indexes.

100. An applicant for a copy should be informed of the probable date on which the copy will be ready for delivery.

101. If an application is not complied with, the reasons for non-compliance shall be endorsed on the application, which should be returned to the applicant [*vide* rule 88 (8)].

102. Application for copy of an entry in a book which, under rule 81 has been transferred to the Registrar's office, may either be sent to the Registrar direct, or may be lodged with the Sub-Registrar of the office from which the book was transferred. In the latter case, the Sub-Registrar shall require the index particulars to be given, so far as applicant can give them. These shall be noted on the application by the Sub-Registrar, who shall also collect search fees, noting the amount on the application, and crediting them in the Fee Book. He shall take charge of the stamp paper tendered for the copy and shall forward it with the application to the Registrar, making no charge for postage. The Registrar shall dispose of the application under rule 59.

103. When the copy is ready, it shall be sent to the Sub-Registrar, with instructions to collect the amount of copying fees specified, and to hand the copy to the applicant.

<sup>1</sup> A passage added here by notification No. 224, dated the 1st August 1893, was cancelled by notification No. 371, dated the 10th December 1901. *Hydrabad Residence Orders*, 1901, Pt. I, p. 376.

<sup>2</sup> Added by notification No. 271 cited in footnote 1.

104. Applications for copies of reasons for refusal to register, and copies when given shall be stamped under the Court Fees Act. These copies should be given immediately on receipt of the application.

105. When an application lodged under section 24 or 34 of the Act is received back from the Registrar, it shall be filed in the file book of applications, and the purport of the Registrar's order shall be communicated without unnecessary delay to the applicant.

106. Every copy granted by a registering officer shall be certified to be a true copy under the signature and seal of the registering officer.

107. In order that the Courts, when a copy of a registered document is produced before them, may know whether the original is available on payment of custody fees by the presenter, it is directed that when a copy of a document, original of which is lying unclaimed in a registration office, is taken under section 57 of the Act, an endorsement in the following terms shall be made on such copy:—

*The original of this document, which was presented by \_\_\_\_\_  
son of \_\_\_\_\_, on the \_\_\_\_\_ 18\_\_\_\_  
is lying unclaimed in the office of the \_\_\_\_\_ Registrar  
at \_\_\_\_\_, and is available on payment of  
custody fees by the said \_\_\_\_\_, son of \_\_\_\_\_.*

108. When under section 1<sup>1</sup>[46] of the Indian Stamp Act, 1<sup>1</sup>[1899], a registering officer is called upon to give an authenticated copy of an impounded document, he shall authenticate such copy by certificate in the following form. Such copies come under article 1<sup>1</sup>[24], schedule I, of the Indian Stamp Act, 1<sup>1</sup>[1899]:—

*"Certified that this is a true copy of the documents purporting to be executed on \_\_\_\_\_ by \_\_\_\_\_  
son of \_\_\_\_\_, in favour of \_\_\_\_\_  
son of \_\_\_\_\_, of \_\_\_\_\_  
impounded in order to be sent to the Collector of \_\_\_\_\_  
district on the \_\_\_\_\_."*

109. When a copy is delivered it shall be endorsed with the following particulars:—

Copy applied for on \_\_\_\_\_  
Do ready for delivery on \_\_\_\_\_  
Do. delivered on \_\_\_\_\_  
Search Fee Rs. \_\_\_\_\_  
Copying Fee, Rs. \_\_\_\_\_

*Initials of Registering Officer.*

<sup>1</sup> Substituted by notification No. 124, dated the 23rd May 1902, Hyderabad Residency Orders, 1902, Part I, p. 143.

## PART VII.—PROCEDURE—FROM PRESENTATION TO ADMISSION TO REGISTRATION.

110. On presentation of a document, a registering officer shall forthwith make on it an endorsement in the form of Appendix XV. A registering officer is bound to receive every document brought to his office for registration <sup>1</sup>[within the prescribed hours of business] and to make on such documents the above endorsement. He must do this even though he proceeds no further.

111. After making the presentation endorsement, the registering officer shall proceed as follows—

- (a) Satisfy himself that the document is duly stamped.
- (b) That under sections 28 and 29 it has been presented in the proper office.
- (c) That it is not time-barred under sections 23—26 of the Act.
- (d) That it does not contain any interlineation, blank, erasure or alteration unattested by the initials of the executing parties (section 20).
- (e) That it is written in a language deemed to be commonly used, or if not, that it is accompanied by a true translation, and also by a true copy (section 19).
- (f) That it contains a description of any immoveable property it relates to, sufficient to identify the same, and that the territorial divisions recognized under rule 92 are specified (section 21).
- (g) That it purports to be presented by a competent person (sections 32 and 40).
- (h) That if it contains a map or plan a true copy of such map or plan accompanies it [section 21 (c).]
- (i) That in the case of a copy of a decree or order of a court, it is properly certified.
- <sup>2</sup>[(j) That as required by Section 27 of the Indian Stamp Act <sup>3</sup>[1899], the consideration (if any) is set forth in the deed.]

<sup>1</sup> Substituted by notification No. 233, dated the 10th August 1891. *Hyderabad Residency Orders, 1891, Part I, p. 161.*

<sup>2</sup> Added by notification No. 257, dated the 18th December 1894. *Hyderabad Residency Orders, 1895, Part I, p. 4.*

<sup>3</sup> Substituted by notification No. 124, dated the 23rd May 1902. *Hyderabad Residency Orders, 1902, Pt. I, p. 143.*

112. If these preliminary conditions are found to be fulfilled, the document shall be accepted for registration and fees demanded. If not paid, registration shall be refused. If paid, the amount of fees shall be endorsed on the document, and shall be entered in Fee Book and Receipt Book, each kind of fee being separately entered.

113. If the registering officer considers that the document is not properly stamped (rule 111-a) under the Indian Stamp Act, <sup>1</sup>[1899], he shall suspend registration proceedings, impound the document, and forward it to the Collector of Stamp Duty, endorsing on it the date of its being impounded—*vide* rule No. 38 (5).

<sup>1</sup>Provided that if the executant or executants are present, he shall before forwarding the document to the Collector follow the procedure for the admission of the document to registration laid down in rules 125—129 in so far as they are applicable, no fees, however, being then taken. The fees shall not be levied and the document shall not be copied or certified as registered under rule 133 until it has been returned to the registering officer with the Collector's certificate that the proper stamp duty has been paid thereon.

113-A. If the executant of a deed who is in doubt about the proper stamp consults a registering officer before formal presentation, the required information should be given to him without impounding the deed.

114. If the document is returned by the Collector direct to the registering officer, a notice of its receipt should be sent by service bearing letter to the presenter, and on his appearance, or on that of the executing parties, proceedings shall be resumed at the stage at which they were suspended, due regard being had to section 34.

115. If a document dutiable under the Court Fees Act, 1870, be considered insufficiently stamped, it shall be refused registration, procedure being as prescribed in rule 24.

116. If the document has been presented in the wrong office, rule 111 (b), the registering officer shall endorse it in the form of Appendix XVI and return it to the presenter.

117. If the document is time-barred under sections 23—26 [rule 111-(c)] and no application for extension of time has been lodged with the registering officer, registration shall be refused and procedure followed as in rule 24.

118. If such an application has been lodged, proceedings shall be suspended, pending receipt of the Registrar's orders on the application.

119. If the document is defective in the points mentioned in rule 111, clauses (d), (f), (h), <sup>1</sup>[(i) or (j)] procedure shall be according to rule 122.

<sup>1</sup> See notification No 124, dated the 23rd May 1902. *Hyderabad Residency Orders*, 1902, Pt I, p 143.

<sup>1</sup> Substituted by notification No. 257, dated the 18th December 1884 *Hyderabad Residency Orders*, 1885, Pt. I, p. 4.

120. If the document is written in a language not commonly used, or is not accompanied by a translation or true copy, rule 111 (c) and (d), procedure shall be according to rule 122. But if the document is again presented without a translation or true copy, registration shall be refused and proceedings follow as in rule 24.

121. If the person by whom it purports to be presented is not competent to present [rule 11 (g)], registration shall be refused and rule 24 be followed.

122. An incomplete document may, in cases specially provided for by these rules, be returned for amendment. Prior to such return, it shall be endorsed in Form XVI of the appendix, provided that if the executing parties are present and offer to make the required amendment in the office, the document may be simply handed back to them for the purpose.

123. When documents are returned for amendment under the next preceding rule, or are impounded, they shall, on re-presentation, if duly amended or certified to be duly stamped, be accepted for registration, and fees be demanded.

124. When the registering officer has satisfied himself that as to all these preliminary points the document fulfils the conditions necessary for registration, and has levied fees, he shall continue proceedings as follows:—

If the person who presents the document is the executant, the registering officer shall satisfy himself as to his identity (*vide* rule 125), and shall then examine him as to admission of execution and receipt of consideration;

If the presenter is not the executant, and the executing parties are not present, the registering officer shall enquire from the presenter whether he will bring the executing parties and witnesses, or whether he wishes them to be summoned under section 36, and shall act accordingly;

If it appears probable that the period allowed by section 31 will expire before the executants appear, the registering officer should advise the presenter to apply to the Registrar for a direction under the proviso of section 31 for the extension of the period for appearance. If the application be lodged with a Sub-Registrar, he should forward it to the Registrar;

If the period allowed by section 31 has expired before the executing parties have appeared, and no application for extension of time has been lodged with the registering officer, he shall refuse registration, but if such an application has been lodged, he shall suspend proceedings pending receipt of the Registrar's orders on the application.

125. Registering officers shall personally, and not through their mohurrirs, enquire into the identity of persons appearing before them in connection with documents presented for registration or the authentication of powers of attorney under section 38. If the executing parties are not personally known to the registering officer, he shall satisfy himself of their identity by the evidence of respectable persons. Care should be taken that menial servants attached to offices, petition-writers, etc., are not habitually employed to establish identity.

Unless the registering officer is satisfied that such persons can identify the executing parties in consequence of an acquaintance of some standing, he should require further corroborative evidence.

[125-A. The registering officer shall also require every executant, who is not personally known to himself, to affix in his presence an impression of his left thumb both to the document and to a register in the form given in Appendix No. XXII.

If any executant who is required under this rule to make a thumb impression refuses to comply, the registering officer will endorse a note of such refusal upon the document as in the case of a refusal to sign.

This rule may be relaxed in the case of European ladies and gentlemen and other persons of position regarding whose identification there can be no doubt or room for suspicion.

126. The oath should be administered under section 63 of the Act only when the registering officer doubts the truth of statements made before him—*vide* rule 38 (3).

127. If the executing parties admit execution, they shall be required to state the amount of consideration received by them and as provided in form of second endorsement, the amount, specifying whether it is in full or in part shall be entered in the endorsement.

128. Before registering officers record in endorsement No. II admission of receipt of consideration, they should satisfy themselves by examination of the obligor that the admission is true. If the inquiry results in doubts as to payment having been actually made, although admission of receipt of consideration be acknowledged, a note to the following effect will be added to endorsement II :—

NOTE.—Although receipt of consideration is admitted by the obligor, the registering officer after cross-examination, is not satisfied that payment has actually been made.

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<sup>1</sup> Added by notification No. 17, dated the 26th January 1897. *Hyderabad Escheat Orders*, 1897, Pt. I, p. 20

129. Admission of execution having been made by all executing parties and their identity established, the second endorsement in one of the forms of appendix No. XVII shall be recorded, and the document "*admitted to registration.*"

<sup>1</sup>[NOTE.—If a deed is executed by more persons than one and the appearance of executing parties is not simultaneous a separate second endorsement must be recorded as each party admits execution and is identified. The executants must not be detained until all are present at one time.

<sup>2</sup>[129-A. In the case of will or authority to adopt presented after the death of the testator (or donor), the second endorsement shall be in the form of Appendix XVII-A.]

*From admission to registration to completion of registration.*

130. On a document being admitted to registration, it shall be copied without unnecessary delay in the order of its admission to registration.

131. Errors, erasures, interlineations, etc., shall be copied into the book exactly as they appear in the original document. In the case of mis-spellings or erasures or additions of a single word, a mark thus x shall be made in ink over the defect, with a similar mark in the column of remarks and the word "*sic*" with the initials of the registering officer. In the case of additions and erasures of more than one word, and of interlineations, a mark thus x shall be placed at the beginning and end of the addition, erasure or interlineation, with two corresponding marks and the word addition, erasure or interlineation, attested by the initials of the registering officer shall be entered in the column of remarks opposite the defect.

132. If an error is made in copying, and an erasure, addition, correction or interlineation becomes necessary, the defect shall be initialled by the registering officer, and the words "*error in copying*" be entered opposite the mistake in the column of remarks. In no case may erasure by penknife be resorted to.

133. The document having been copied the registering officer shall then record on it the final certificate of registration (Appendix No. XVIII), which, with previous endorsements, should be at once copied into the margin of the book. After which the registering officer shall authenticate the copy by making the following entry at foot of it and signing the entry:—  
"Compared with original and certified to be a true copy."

134. All endorsements on documents shall be made in the registering officer's own handwriting.

*After registration.*

135. Memoranda issued under sections 64, 65 and 66 shall be in form of Appendix No. XIX.

<sup>1</sup> Added by notification No. 414, dated the 27th. November 1894. Hyderabad Residency Orders, 1894, Pt. I, p. 325

136. When a document has been registered it shall be returned without unnecessary delay to the presenter or to the person (if any) nominated in writing by him to receive it.

137. If the presenter deposit at the office a cover sufficiently stamped to include post office registration fees and addressed to himself, the registering officer shall return the registered document in such cover, filing the post office receipt book in place of the registration receipt.

138. Should a document remain unclaimed for one month\* from the date on which certificate of registration or refusal to register was recorded on it, it shall be entered on the list of unclaimed documents, Appendix No. XX. This list shall be conspicuously exposed to public view in each office. A document thus entered on the unclaimed list may not be returned until a fee for its custody, at the rate prescribed in the fee table, shall be paid. For instructions as to eventual destruction of unclaimed documents, *vide* rules 87 and 88.

\* *NOTE.*—One clear month is intended.

*Example.*—A document registered or refused registration on 15th September should be entered on the unclaimed list on the evening of 16th October, or if the 15th October should be a Sunday or authorized holiday, on the evening of the next day when the office is open.

## PART VIII.—MISCELLANEOUS.

### *Appeals.*

139. A Registrar dealing with an appeal against an order of refusal to register under section 72, or with an application under section 73, shall draw up a proceeding and procedure shall be guided by the provisions of the Civil Procedure Code, so far as they are applicable. When the appeal or application has been disposed of, the Registrar shall, without delay, send a copy of the final order to the Sub-Registrar concerned, and shall forward the proceedings for the perusal of the Inspector-General.

### *Despatch of documents.*

140. Except in the case of documents impounded, no original document is ever to be sent out of a registering office for purposes of reference, save under specific order of a superior officer, and if so sent or if it has been impounded and if it requires transmission by post, it shall be sent in an official cover duly sealed with wax and registered in the post office.





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137. If the presenter deposit at the office a cover sufficiently stamped to include post office registration fees and addressed to himself, the registering officer shall return the registered document in such cover, filing the post office receipt book in place of the registration receipt.

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\* Note.—One clear month is intended.

*Example*—A document registered or refused registration on 15th September should be entered on the unclaimed list on the evening of 15th October, or if the 15th October should be a Sunday or authorized holiday, on the evening of the next day when the office is open.

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129. Admission of execution having been made by all executing parties and their identity established, the second endorsement in one of the forms of appendix No. XVII shall be recorded, and the document "*admitted to registration.*"

<sup>1</sup>[NOTE.—If a deed is executed by more persons than one and the appearance of executing parties is not simultaneous a separate second endorsement must be recorded as each party admits execution and is identified. The executants must not be detained until all are present at one time.

<sup>2</sup>[129-A. In the case of will or authority to adopt presented after the death of the testator (or donor), the second endorsement shall be in the form of Appendix XVII-A.]

*From admission to registration to completion of registration.*

130. On a document being admitted to registration, it shall be copied without unnecessary delay in the order of its admission to registration.

131. Errors, erasures, interlineations, etc., shall be copied into the book exactly as they appear in the original document. In the case of mis-spellings or erasures or additions of a single word, a mark thus x shall be made in ink over the defect, with a similar mark in the column of remarks and the word "*sic*" with the initials of the registering officer. In the case of additions and erasures of more than one word, and of interlineations, a mark thus x shall be placed at the beginning and end of the addition, erasure or interlineation, with two corresponding marks and the word addition, erasure or interlineation, attested by the initials of the registering officer shall be entered in the column of remarks opposite the defect.

132. If an error is made in copying, and on erasure, addition, correction or interlineation becomes necessary, the defect shall be initialled by the registering officer, and the words "*error in copying*" be entered opposite the mistake in the column of remarks. In no case may erasure by penknife be resorted to.

133. The document having been copied the registering officer shall then record on it the final certificate of registration (Appendix No. XVIII), which, with previous endorsements, should be at once copied into the margin of the book. After which the registering officer shall authenticate the copy by making the following entry at foot of it and signing the entry:—  
"Compared with original and certified to be a true copy."

134. All endorsements on documents shall be made in the registering officer's own handwriting.

*After registration.*

135. Memoranda issued under sections 64, 65 and 66 shall be in form of Appendix No. XIX.

<sup>1</sup> Added by notification No. 311, dated the 27th November 1894. *Hyderabad Residency Orders, 1894, Pt. I, p. 225.*

<sup>2</sup> Added by notification No. 257, dated the 15th December 1891. *Hyderabad Residency Orders, 1895, Pt. I, p. 4.*

space reserved is not sufficient; a piece of strong blank paper should be affixed by the presenter to the document, and the registering officer should take care that a portion of the certificates or endorsements is written partly on the document and partly on the attached piece. He shall also write his initials across the joint on both sides of the paper.

118. When a document is written on more sheets than one, the registering officer shall affix his seal and initials to each sheet on presentation of the document.

### *Enforcing the appearance of persons.*

119. If a registering officer be himself a Revenue Officer or a Civil Court he may himself take the necessary measures to enforce the appearance of parties under sections 36—39. If he be neither, he shall apply to the nearest Revenue Officer or Civil Court.

150.<sup>1</sup> [Witness batta] shall be levied by registering officers according to the rules in force for Civil Courts.

### *Visit.*

151. A registering officer may not leave his sub-district to pay a visit under sections 31, 33, or 38 without the previous sanction of the Registrar, which should be given only in urgent cases.

### *Commission.*

152. A commission issued under sections 33 and 35 shall run thus :—  
*A Commission is hereby issued under section \_\_\_\_\_ of the Indian Registration Act, 1877, to \_\_\_\_\_ for the purpose of inquiring whether \_\_\_\_\_.*

<sup>2</sup>[The document in regard to which a commission is issued must be made over to the Commissioner and by him be taken to the person examined. If such person admits execution, an endorsement in the form of Appendix XVII(f) shall be entered on the document and signed by the person examined and by the Commissioner. The Commissioner shall then return the document to the registering officer who issued the commission, and the registering officer will proceed under rule 133. If the person examined denies execution, the Commissioner shall report accordingly to the registering officer, who will act under rule 21.]

<sup>1</sup> Substituted by notification No. 55, dated the 19th March 1881. *Hyderabad Residency Orders*, 1881, Pt. I, p. 45.

<sup>2</sup> Added by notification No. 150, dated the 19th May 1891 *Hyderabad Residency Orders*, 1891, Pt. I, p. 111.

### *Appointments.*

141. Appointments made under sections 11 and 12 will be reported monthly to the Inspector-General in form given in Appendix No. XXI, and these, as well as appointments made under section 10, shall be reported to the Local Administration half-yearly by the Inspector-General.

### *Holidays.*

142. The holidays to be observed in registering offices shall be those sanctioned for public offices by the Resident at Hyderabad, and a list of such holidays shall be exposed in a conspicuous place in the office. Where a purely judicial officer may have a charge of a registering office *ex-officio*, he must keep that office open, although his court may be closed for the summer vacation.

### *Hours of business.*

143. <sup>1</sup> [Registration offices shall ordinarily be open for the presentation of documents from 10 A.M. to 4 P.M., but the District Registrar may, in the case of offices situated at the head-quarters of the district or at tahsil stations, direct that during the hot weather the hours of business of such offices shall be the same as those observed in the Deputy Commissioner's and Tahsildar's offices.]

### *Supply of books and forms.*

144. Books and forms will be supplied from the Inspector-General's office on indent submitted by Registrars. Indents will be for the official year, commencing 1st April, and will be submitted on the 1st January preceding. Each Registrar will keep in his office the supply of books and forms annually received, and will distribute them to his subordinates as required.

### *Registration by Registrars.*

145. Except for good reasons, to be recorded in the minute book, a Registrar shall accept for registration all documents presented to him, and shall not refer persons to a Sub-Registrar.

146. If it be necessary under section 66 to send a memorandum in the case of an English document registered by a Registrar, such memorandum shall be sent in Marathi to the Sub-Registrar concerned.

### *Space for endorsements.*

147. Documents presented for registration should have reserved for endorsements a blank space 6 inches deep at bottom of the reverse of the stamp or plain paper on which it is written. If, in any case, the blank

<sup>1</sup> Substituted by notification No. 233, dated the 19th August 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 161.

space reserved is not sufficient; a piece of strong blank paper should be affixed by the presenter to the document, and the registering officer should take care that a portion of the certificates or endorsements is written partly on the document and partly on the attached piece. He shall also write his initials across the joint on both sides of the paper.

148. When a document is written on more sheets than one, the registering officer shall affix his seal and initials to each sheet on presentation of the document.

#### *Enforcing the appearance of persons.*

149. If a registering officer be himself a Revenue Officer or a Civil Court he may himself take the necessary measures to enforce the appearance of parties under sections 36—39. If he be neither, he shall apply to the nearest Revenue Officer or Civil Court.

150. <sup>1</sup> [Witness batta] shall be levied by registering officers according to the rules in force for Civil Courts.

#### *Visit.*

151. A registering officer may not leave his sub-district to pay a visit under sections 81, 33, or 38 without the previous sanction of the Registrar, which should be given only in urgent cases.

#### *Commission.*

152. A commission issued under sections 33 and 38 shall run thus :—  
*A Commission is hereby issued under section \_\_\_\_\_ of the Indian Registration Act, 1877, to \_\_\_\_\_ for the purpose of inquiring whether \_\_\_\_\_.*

<sup>2</sup>[The document in regard to which a commission is issued must be made over to the Commissioner and by him be taken to the person examined. If such person admits execution, an endorsement in the form of Appendix XVII(f) shall be entered on the document and signed by the person examined and by the Commissioner. The Commissioner shall then return the document to the registering officer who issued the commission, and the registering officer will proceed under rule 133. If the person examined denies execution, the Commissioner shall report accordingly to the registering officer, who will act under rule 21.]

<sup>1</sup> Substituted by notification No. 55, dated the 19th March 1891. *Hyderabad Residency Orders*, 1881, Pt. I, p. 45.

<sup>2</sup> Added by notification No. 150, dated the 19th May 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 111.

*Registration of documents in which Registering Officer is interested.*

153. It is advisable that Sub-Registrars should avoid registering documents in which they are interested. Such documents can be registered by Registrars without extra fee; if a Sub-Registrar registers such a document, he must at once report the fact to the Registrars.

*Certified copies of decrees or orders of Courts.*


154. In the case of certified copies of decrees or orders of Courts only the presentation and final certificates of registration shall be recorded.

# APPENDIX No. I.

Book No. I.

*Compulsory or Optional.*

Serial No. \_\_\_\_\_ of 18 .

Copy of endorsements and certificates, and stamp and fee entries.	Copy of document.	REMARKS.
	<p><i>N.B.—Books Nos. III and IV will be in the same form as No. I, the note distinguishing optional from compulsory registration being omitted.</i></p>	
<div style="display: flex; justify-content: space-between;"> <div> <p>Stamp value . . .</p> <p><i>Fees paid.</i></p> <p>Registration fee . . .</p> <p>Copying fee . . .</p> <p>Memorandum . . .</p> <p>_____ . . .</p> <p>_____ . . .</p> <p>_____ . . .</p> <p>_____ . . .</p> <p>_____ . . .</p> <p>TOTAL . . .</p> </div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 0 5px;"> <p>Rs.    a.    p.</p> </div> </div>	<p>Compared with original and certified to be a true copy.</p> <div style="text-align: center; margin: 20px 0;">  </div> <p>Signature of Registering Officer.</p>	

## APPENDIX No. II.

Book No. II.—*Record of reasons for refusal to register.*

Serial No. \_\_\_\_\_ of 18 .

Value of Stamps Rs. \_\_\_\_\_

Date of document.	Reasons for refusal.
Date and hour of presentation . . . . .	
Names and additions of parties presenting	
Names and additions of parties executing . . . . .	
Names and additions of persons examined . . . . .	
Nature of document . . . . .	
Copy applied for on the _____ at _____ o'clock . . . . .	
Copy given on the _____ at _____ o'clock . . . . .	
<i>Signature of Applicant</i>	
Authority issuing order, with date and nature thereof on appeal, etc., under sections 72, 75, and 77 . . . . .	Date _____

---

*Signature of Registering Officer.*



*When visit is paid under Section 33.*

(b) Having visited and examined the principal <sup>1</sup>[who is personally known to me (or whose identity was proved by the evidence of \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_] (*name and addition*) at his (or her) residence at \_\_\_\_\_, I am satisfied that this Power of Attorney has been voluntarily executed by him (or her) and I accordingly authenticate it under section 33 of "The Indian Registration Act, 1877," and record it as No. \_\_\_\_\_ for 18\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.



\_\_\_\_\_  
*Signature and official title of Registering Officer.*

*When commission is issued.*

(c) From the report made by (*name and addition*), who was appointed Commissioner to enquire into the voluntary execution of this Power of Attorney by (*name and addition*), I am satisfied that it has been voluntarily executed by the said (*name only*), and accordingly authenticate it under section 33 of "The Indian Registration Act, 1877," and record it as No. \_\_\_\_\_ for 18\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.



\_\_\_\_\_  
*Signature and official title of Registering Officer.*

<sup>1</sup> Inserted by notification No. 350, dated the 22nd December 1890 *Hyderabad Residency Orders*, 1891, Pt. I, p. 3.



## APPENDIX No. VII.

## Fee Book.

PARTICULARS OF FEES WITH AMOUNTS.		No. and date of challan.	
Serial No. of documents.	Book No.	No. of receipt given for fees paid.	[Proportional total of unremitted fees.]
Registration fee.		Total.	
Copying fee.		Fines under section 24.	
Fees for authentication of general power of attorney.		Fines under section 24.	
Fees for authentication of special power of attorney.		Fees on opening of sealed covers.	
Fees for filing translation (section 19).		Fees on withdrawal of sealed covers.	
Fees on commissions issued.		Fees on deposit of sealed covers.	
Fees on trials paid.		Custody fees.	
Fees for inspection of books.		Fees on memoranda issued.	
Extra fees for registration by Registrar.		Fees for searches.	

This column was inserted by notification No. 350, dated the 22nd December 1900. Hyderabad Residency Orders, 1901, Pt. I, p. 3.

## APPENDIX No. VIII.

## APPENDIX No. IX.

## CASH ACCOUNT BOOK.

Dr.

Cr.

Date.	Particulars of receipts.	Amount.	Initials of Registering Officer.	Date.	Particulars of disbursements.	Amount.	Initials of Registering Officer.
		Rs. a. p.				Rs. a. p.	

## APPENDIX No. X.

## RECEIPT.

Serial No.—  
of 18 .

Receipt given to \_\_\_\_\_, son of \_\_\_\_\_  
 No. \_\_\_\_\_ of 18 . Office of \_\_\_\_\_ of \_\_\_\_\_  
 Dated \_\_\_\_\_

Dated \_\_\_\_\_

To whom given.

Nature of document.

Total amount of fees levied.

Nature of document.	Particulars of fees.	Amount.
	Registration fee . . . . .	Rs. a. p.
	Copying fee . . . . .	
	Fees for authentication of General Power of Attorney . . . . .	
	Do. do. of Special Power of Attorney . . . . .	
	Do. filing translation, section 19 . . . . .	
	Fees on commission issued . . . . .	
	Do. visits paid . . . . .	
	Do. for inspection of books . . . . .	
	Extra fees for registration Registrar . . . . .	
	Fees for searches . . . . .	
	Do. on memorandum issued . . . . .	
	Custody fees . . . . .	
	Fees on deposit of sealed covers . . . . .	
	Do. withdrawal of sealed covers . . . . .	
	Do. opening . . . . .	
	Fines under section 24 . . . . .	
	Do. do. 31 . . . . .	
	Total . . . . .	

Received the document herein referred to  
 on \_\_\_\_\_ 18 .  
 (Signature of presenter.)

Signature of Registering Officer.

Signature of Registering Officer.

<sup>1</sup> Cancelled by notification No 151, dated the 26th April 1895. Hyderabad Residency Orders, 1895, Pt I, p 103.

## APPENDIX No. XI.—(Rule 60.)

INDEXES Nos. I AND IV.

Sub-District \_\_\_\_\_

District \_\_\_\_\_

Name and father's name of executant or claimant.	Trade, profession or caste of the executant or claimant.	Town or village, taluq and district in which the executant or claimant resides	Interest or liability under the document or memoranda (vendor or vendee, mortgagor or mortgagee, plaintiff or defendant and the like)	Serial No. and year of the document registered.

## APPENDIX XII-A.—(Rule 60.)

INDEX No. II.

For District Registrar's Office only.

\_\_\_\_\_ District.

Name of town or village in which the property is situated.	Name of sub-district	Nature of the document (a lease, conveyance, mortgage, etc.)	Nature of property: (a) Survey fields. (b) Houses or buildings (c) Other property	If a survey field, its Survey No	Serial No. and year of document registered in Book No. I.

<sup>1</sup> Appendix XII A and XII B were substituted for the original Appendix XIII by notification No. 29, dated the 22nd February 1922. Hyderabad Residency Orders, 1922. Supple. ment, p. 17.

## APPENDIX III-B—(Rule 60.)

INDEX No. II.

For 10 years.

18 to 18 .

Sub-District.

District.

Fields.

Name of village

Survey No.	Serial number and year of document registered in book No. 1.						Survey No.	Serial number and year of document registered in book No. 1.					
1	1 1890	250 1892					11						
2							12						
3	5 1891	113 1894					13						
4							14						
5							15						
6							16						
7							17						
8							18						
9							19						
10							20						

## INDEX No. II.

For 10 years.

18 to 18 .

Sub-District

District

Houses and  
buildings.

Name of village

Serial number and year of document registered  
in Book No. 1.Serial number and year of document registered  
in Book No. 1.

1891.

1892

3 10 22 51 93 111

1893.

1894

12 114

1895.

1896.

1 50 109

1897.

1898.

1899.

1900.

INDEX No. II.

FOR THE MONTH OF

18 .

Sub-District

District

Name of the town or  
village and pargana  
in which the im-  
moveable property is  
situate, and if in a  
town the name of  
the street if it has  
a name.Name of the  
taluka and of  
the district.Nature of the  
document with  
a specification  
of the consi-  
deration as  
therein set  
forth.Serial numbers given to, with the  
year, book, volume and page of the  
entry of the document

will be similar to this, that  
right-hand corner,  
entries will be increased.





## APPENDIX No. XIV.—(Rule 87.)

## NOTICE OF INTENDED DESTRUCTION OF A DOCUMENT.

Notice is hereby given to you (*name and addition of the obligor, or obligee, under the document, as the case may be*) that unless you, within two months from the date of this notice claim and pay custody fees for the (*here briefly state the nature of the document*), dated \_\_\_\_\_, executed by (*name and addition*), in your favour (or by you in favour of (*name and addition*), and which has lain unclaimed in the (*name of office*) since the (*date of entry in the unclaimed list*), the said document will, on the expiration of the said two months, be destroyed.

*Date in writing in figures.*

*Signature of Registering Officer.*

## APPENDIX No. XV.—(Rule 110.)

## PRESENTATION ENDORSEMENT UNDER SECTION 52.

Presented at 11 o'clock on the 5th August 1877 in the office of the Sub-Registrar of Kholapur sub-district, Amraoti district (or at the house of Tanba, son of Sakbram, in Kolhapur), by Motee, son of Haree.

*Signature and addition of Motee.*

*Signature and official title of  
Registering Officer.*

<sup>1</sup> [NOTE.—Status of the presenter should be described after his parentage if he acts as representative, assign, or agent.]

<sup>1</sup> Added by notification No. 223, dated the 18th December 1855. *Hyderabad Residency Orders*, 1856, Pt. I., p. 3.

APPENDIX No. XVI.—(*Rule 122.*)

Returned to \_\_\_\_\_ under Rule 122, for amendment in the following particular, viz. :—  
(or for presentation in proper office.)

*Dated* \_\_\_\_\_

*Signature and official title of Registering Officer.*

APPENDIX No. XVII.—(*Rule 829.*)

ENDORSEMENTS ON DOCUMENTS ADMITTED TO REGISTRATION UNDER SECTION 58.

When executing party is personally known to the Registering Officer :—

(a) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Tanba, son of Sakharam, Malee, resident of Kolhapur, Amraoti taluk and district, who is personally known to the Registering Officer. Dated this 5th day of August 1877.

*Signature and addition of Tanba.*

*Signature and official title of  
Registering Officer.*

When executing party is identified by witnesses :—

(b) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Mahadoo, son of Laxman, Tel, resident of Lonar, Mehkar taluk, Buldana district, who was identified by Ranjee, son of Bhugwanjee, Patel of Lonar, aforesaid, and by Ragho, son of Gunnoo, Patwari, of the same village (if oath was administered, here write who were examined on oath and that their statements were recorded in the Minute Book, vide Rule 58) [to the satisfaction of the Registering Officer]. Dated this 5th day of July 1877.

*Signature and addition of Ranjee.*

*Signature and addition of Mahadoo.*

*Signature and addition of Ragho.*

*Signature and official title of  
Registering Officer.*

<sup>1</sup> Substituted by notification No. 241, dated the 2nd December 1884. Hyderabad Revenue Orders, 1884, Pt. I, p. 163

When execution is admitted by an agent of the executant :—

(c) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Ramchandra, son of Raghubaath, Brahmin, resident of Amraoti City, Amraoti taluk, and district, agent for Tanba, son of Sakharam, Brahmin of Kolhapur, Amraoti taluk and district, under a power-of-attorney dated 1st August 1877, and authenticated by \_\_\_\_\_ who is personally known to the Registering Officer (*or if identified by witnesses here enter as shown Appendix XVII (b) above*). Dated this 5th day of August 1877.

---

*Signature and addition of Ramchandra.*

---

*Signature and official title of  
Registering Officer.*

---

*Signature and additions of witnesses if any.*

---

When execution is admitted by a <sup>1</sup>[guardian], representative or assign of the executant :—

(d) Execution and receipt of consideration (*in full or in part, specifying the amount*) admitted by Dewaji, son of Rybhanji, Kunbi, cultivator of Nandgaon Peith, Amraoti taluk and district, as <sup>1</sup>[(guardian, representative or assign as the case may be)] of Tanba, son of Sakharam, Kunbi of Kolhapur Amraoti taluk and district <sup>1</sup>[(minor, a person of unsound mind, or deceased as the case may be)] who has proved this status by the evidence of Govind Rao, son of Trimbak Rao, Brahmin, Shroff of Ynwlee, Amraoti taluk and district, and Yeshwanta, son of Atmaramjee, Kunbi, Sahukar of Anjangaon, Daryapur taluk, Ellichpur district <sup>2</sup> [(if oath was administered here write

<sup>1</sup> See notification No. 170, dated the 10th July 1882. *Hyderabad Residency Orders*, 1882, Pt. I., p. 132.

<sup>2</sup> Substituted by notification No. 137, dated the 3rd July 1885. *Hyderabad Residency Orders*, 1885, Pt. I., p. 103.

who were examined on oath and their statements were entered in the Minute Book, vide Rule 38.)] Dated this 5th day of August 1877.

---

Signature and addition of  
Dewaji.

---

Signature and official title of  
Registering Officer.

---

Signature and additions of the witnesses  
Govinda and Yeskwanta.

NOTE. 1.—In case in which the obligor receives the consideration in the presence of the Registering Officer in Appendix No. XVII (a), (b) and (c) for the words "Execution and receipt of consideration admitted" substitute "Execution admitted by, and Rs. ( — ) paid or property (specifying what property) handed to (name and addition) in the presence of the Registering Officer."

2. In case of refusal to sign endorsements, the Registering Officer is required, under section 68, to add to the endorsements made under the section a note as follows :—

"The sforesaid (name and addition) refused to sign the above endorsement"

When the executant admits execution but alleges non-receipt of consideration, etc :—

(c) Execution admitted by Govinda, son of Humba, Teli of Akoli, Amraoti taluk and district, who is personally known to the Registering officer (or identified by names and additions). The said Govinda alleges that he has received no consideration, or only a part of the consideration (specify part named) for the document, or that execution of the document was obtained from him by fraud (or in any other of the ways specified in Rule 26 ; in each case note the full details of the complaint made) on the part of (name and addition) who, the obligor being unable to read, gave him to believe that the document was a bond for the payment of Rs. 25, whereupon the obligor executed the document, whereas it now proves to be a bond for Rs. 250. Dated this 5th day of August 1877.

---

Signature and addition of  
Govinda.

---

Signature and official title of Register-  
ing Officer.

---

Signature and additions of witnesses, if any.

When commission is issued under section 38 :—

(7) <sup>1</sup> [Execution and receipt of consideration (or as the case may be) admitted this day by \_\_\_\_\_, son of \_\_\_\_\_, caste \_\_\_\_\_, resident of \_\_\_\_\_, Taluk \_\_\_\_\_ district, who is personally known to me (or was identified by \_\_\_\_\_) at \_\_\_\_\_  
Dated \_\_\_\_\_

Signature and addition of person  
examined.

Signatures of witnesses to identification, if any.

Signature of Commissioner.]

## <sup>2</sup>APPENDIX No. XVII-A.—(Rule 129-A.)

The death of the testator (or donor) and the execution of the will (or authority to adopt) by the deceased testator (or donor) proved to the satisfaction of the Registering Officer by \_\_\_\_\_, son of \_\_\_\_\_, and \_\_\_\_\_, son of \_\_\_\_\_ (if oath was administered add,—"whose statements have been recorded in the Minute Book.") Dated \_\_\_\_\_ 18 \_\_\_\_\_

Signature of persons examined.

Signature of Registering Officer.

## APPENDIX No. XVIII.—(Rule 133.)

ENDORSEMENT ON CERTIFICATE OF REGISTRATION UNDER SECTION 60.

Registered in Book No \_\_\_\_\_, volume \_\_\_\_\_, on page \_\_\_\_\_ (or pages \_\_\_\_\_ and \_\_\_\_\_) as serial number \_\_\_\_\_ of 18 \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

Signature and official title of  
Registering Officer.

Seal.

<sup>1</sup> Substituted by notification No. 159, dated the 19th May 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 121.

<sup>2</sup> Added by notification No. 411, dated the 27th November 1891. *Hyderabad Residency Orders*, 1891, Pt. I, p. 325.

## APPENDIX No. XIX.

MEMORANDA UNDER SECTIONS 64, 65 AND 66 OF THE ACT (RULE 135) ON  
NON-TESTAMENTARY DOCUMENTS REGISTERED IN BOOK No. I.

Memorandum made under Section \_\_\_\_\_ of "The Indian Registration Act, 1877," of a document non-testamentary and relating to immoveable property, which has been registered as Serial No \_\_\_\_\_, on page \_\_\_\_\_ of volume No. \_\_\_\_\_, of Book No. I of 18 \_\_\_\_\_, in the office of \_\_\_\_\_ Registrar of \_\_\_\_\_

Date of execution.	
Date of presentation.	
Date of registration.	
Names and additions of the persons who executed the document.	
Names and additions of persons claiming under the document.	
Nature of the document and consideration and value.	
Specification of the property.	
Property where situated—vide Section 21 of the Act and Rule 22.	
Date of despatch of copy of the memorandum by Registering Officer	
To whom despatched.	
Date of receipt of copy in Registrar's office	
Date of receipt of memorandum in Sub-Registrar's office.	



\_\_\_\_\_  
*Signature and official title of Registering Officer.*

Received and filed in Supplementary Book No. I, volume \_\_\_\_\_ of 18 \_\_\_\_\_,  
as page \_\_\_\_\_

\_\_\_\_\_  
*Signature and official title of Recording Officer.*

## APPENDIX XX.—(Rule 138.)

## LIST OF UNCLAIMED DOCUMENTS.

Nature and serial No. of the document.	Date of presentation.	DATE OF			Signature of Registering Officer.	REMOVAL FROM THIS LIST.		Signature of Registering Officer.
		Registration, Section 60.	Refusal to register, section 71.	Entry in this list.		Date of	Reason for	

<sup>1</sup> [NOTE.—The list will be renewed annually on the 1st January, unclaimed documents undisposed of on the 31st December being brought on to the new year's list. Old lists will be destroyed after three years.]

## APPENDIX No. XXI.—(Rule 138).

## MONTHLY REPORT OF APPOINTMENT.

Name and rank of officer appointed.	Where appointed or where taken charge <i>ex-officio</i> .			Section of the Act, if appointed under section 11 or 12.	In whose room appointed.	Date on which charge was taken and whether before or after noon.	Causes of appointment or change of officer in charge of office.
	Office.	District.	Sub-District.				
1	2	3	4	5	6	7	8

No.                      of 18                      .

Forwarded to the Inspector-General of Registration, Hyderabad Assigned Districts.

Station \_\_\_\_\_  
 Date \_\_\_\_\_

Register \_\_\_\_\_ District.

<sup>1</sup> Added by notification No. 299, dated the 2nd October 1893 Hyderabad Residency Orders, 1893, Pt. I, p. 194.

<sup>1</sup> APPENDIX No. XXII.—(Rule 125-A).

*Register of thumb impressions.*

1	2	3	4	5
Serial No.	Book No. Serial No. of document.	Name of executant.	Date of impression.	Thumb impression.

*Signature of Sub-Registrar.*

[*Hyderabad Residency Orders*, 1883, Pt. I, p. 127.]

No. 9, dated the 8th July, 1886.—With the sanction of the Government of India, the Resident is pleased to extend to the Cantonment of Secunderabad the revised table<sup>2</sup> of registration fees for the Hyderabad Assigned Districts, published in the Residency Orders notification<sup>1</sup> No. 113, dated 1st June, 1886, with effect from the 1st August, 1886.

Fees.  
In Secunderabad  
and Aurangabad

[*Hyderabad Residency Orders*, 1886, Pt. I, p. 103.]

No. 3, dated the 4th March, 1891.—With the approval of the Governor-General in Council the Resident is pleased to apply to the Hyderabad Residency Bazars, with effect from the 1st April 1891, the following table<sup>2</sup> of fees prepared under section 78 of the Indian Registration Act, III of 1877<sup>3</sup>, as applied to the Hyderabad Assigned Districts, and in force in those places

In the Residency  
Bazars

[*Hyderabad Residency Orders*, 1891, Pt. I, p. 42.]

No. 14, dated the 5th May, 1891.—In exercise of the power conferred by section 78 of the Indian Registration Act (III of 1877)<sup>3</sup> as applied to the lands in the territory of His Highness the Nizam of Hyderabad, which are occupied by the Nizam's Guaranteed State Railway Company, by the Great Indian Peninsula Railway, \* \* and by the Madras Railway, respectively \* \*, the Resident at Hyderabad is pleased, with the approval of the Governor-General in Council, to apply to the aforesaid lands, with effect from this date, the following table<sup>2</sup> of fees.

In the Railway  
Lands.

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 113.]

<sup>1</sup> Added by notification No. 17, dated the 20th January 1897. *Hyderabad Residency Orders*, 1897, Pt. I, p. 100.



\* TABLE OF FEES UNDER SECTION 78 OF THE INDIAN REGISTRATION  
ACT III OF 1877.

*Ordinary Registration Fees.*

I. For registration of deed of gift, sale, mortgage, lease, bond, etc.,\*  
according to the following *ad valorem* scale :—

Rs. a. p.

When the value or consideration does not

exceed Rs. 20, a fixed fee of . . . 0 6 0 Including all copying and  
When the value or consideration exceeds . . . . . endorsement fees.

Rs. 20, but does not exceed Rs. 50 . 0 4 0 In addition to copying fees  
under Article XV.

Rs. a. p.

When the value or consideration exceeds

Rs. 50, but does not exceed Rs 500 0 8 0 For each 100 or part of 100  
up to 500, and 4 annas for  
each 100 or part of 100  
from 500 to 3,000, and 2  
annas for each 100 or part  
of 100 above 3,000 up to a  
maximum fee of Rs. 15.

NOTE (a).—On leases fees should be levied on the *ad valorem* scale  
calculated by the following rules:—

If a lease is—

- |   |   |
|---|---|
| (1) For a fine or premium only.   | On the amount of fine or<br>premium paid or payable.                    |
| (2) For a fine or premium in addi-<br>tion to rent reserved.  | On the average annual<br>rent reserved added to<br>the fine or premium. |
| (3) For an annual rent reserved<br>without fine or premium.   | On the average annual<br>rent reserved.                                 |
| (4) For less than a year.   | On the total rent payable<br>for the period of the lease.               |
| (5) If a lease is for an indefinite period, the average annual rent payable<br>for the first ten years of the lease shall be considered the average<br>annual rent. |   |
| (6) A counterpart of a lease presented on the same day as the lease is<br>exempt from registration fee.   |   |

NOTE (b).—On annuity bonds, service bonds or agreements to serve

acknowledgments, agreements, assignments, bills of  
contracts, certified copies of decrees and orders of  
partition, promissory notes, releases, settlements, articles  
of partnership.

fees should be levied on the *ad valorem* scale calculated by the following rules:—

- |  |   |
|--|---|
| (1) If such annuity bond or agreement is for a definite period exceeding one year. | On the average annual amount to be paid during the period.      |
| (2) If the annuity bond or agreement is for an indefinite period.                  | On the average annual amount to be paid in the first ten years. |
| (3) If the bond or agreement is for less than a year.                              | On the total amount to be paid for the period.                  |

NOTE (c).—(1) If in any of the above cases the rent, annuity or remuneration is payable partly in money and partly in kind, of which the value is unexpressed, registration fee will be charged at double the ordinary rate on the amount payable in money.

For the purpose of calculating double the registration fee for values not exceeding Rs. 20, the combined fee of 6 annas is to be regarded as a registration fee only.

(2) If in any such case the rent, etc., be payable entirely in kind of which the value is not expressed, the document will be charged with a fee of 2 rupees.

NOTE (d).—In the case of copies of certificates granted by Civil Court under section 316, Civil Procedure Code, and presented for registration in which the amount of purchase money is not entered, fees will be levied on the total amount covered by the stamp used.

Rs. a. p.

II. For registration of any document of the kind mentioned in Article 1 and note, if no consideration, rent or value is expressed . . . . . 5 0 0

III. If such consideration or value be only partly expressed, an *ad valorem* fee according to Article 1 on the portion so expressed and in addition a fee of . . . . . 2 0 0

IV. For registration of a separate deed acknowledging receipt or payment of consideration on account of another deed, which has been previously registered.

The same fee as for the original deed if not exceeding 8 annas; otherwise 8 annas.

V. For deposit of a sealed cover containing a will, or for opening such cover, or for withdrawal of such cover, or for registration of a will or of any document which cannot be brought under the *ad valorem* scale of this table and is not specially provided for . . . . . 2 0 0

Rs. a. p.

VI. For authentication of a power-of-attorney under section 33, if special . 0 8 0

For authentication of a power of attorney under section 33, if general . 1 0 0

NOTE.—The Inspector-General of Registration may, at his discretion, remit the fee in such cases altogether when it appears to him that its exaction would be productive of injustice or hardship.

*Extra fees (leviable in all cases in addition to ordinary fees).*

Rs. a. p.

VII. For registration of a document by a Registrar . . . . . 4 0 0

NOTE.—This extra fee is not leviable by Registrar when the registration of a document by him is owing to the fact that the Sub-Registrar, who would ordinarily have registered it, is interested in it.

VIII. For each attendance at a private residence or jail under section 31, 33, or 38, or for issue of commission under section 33 or 38. If the person is physically unable to attend the office or is in Rs. a. p.

jail . . . . .	5 0 0	In addition to travelling
Otherwise . . . . .	10 0 0	allowance at the rates permissible under the Civil Travelling Allowance Code.

IX. Searching for entry by registering officers or inspection of books or indexes by applicants—

For the first year or part of a year of which the register or index is searched at the request of applicant or is inspected by him and for each entry or document 1 0 0

For each subsequent year or part of a year and for each entry or document . . . . . 0 4 0

NOTE (1).—No search fee shall be levied if the applicant in his application gives correctly the number of the document and of the book and the year in which it was registered.

NOTE (2).—Government officers who may require to inspect or search the registers or take copies of entries for *land fide* public purposes are exempted from the payment of fees.

Rs. a. p.

X. For filing translation (section 62) . . . . . 2 0 0

XI. Fee for service of each summons 0 6 0

XII. Fee for executing warrant of arrest of persons . . . . . 1 0 0

XIII. For granting copy of a map or plan and for every memorandum sent under section 64, 65, or 66 . . . . . 0 8 0

NOTE.—Fees for memoranda to be sent by the Registrar under section 65 should be levied by the Sub-Registrar.

Rs. a. p.

XIV. For the safe custody of a document entered on the unclaimed list.

For the first 15 days during which it remains on the unclaimed list and for every succeeding 15 days or part thereof . 0 8 0

EXAMPLE.—A document entered on the unclaimed list on the evening of the 15th October becomes liable to a custody fee of one rupee on the opening of office on the morning of 31st October.

NOTE.—The maximum fee under this head shall not in any case exceed Rs. 5.

The Inspector-General of Registration may in his discretion remit the fee altogether in any case when it appears to him that its exaction would be productive of injustice or hardship.

### *Copying Fees.*

Rs. a. p.

XV. For making or granting copies of reasons for refusal to register under section 76, or of a document under section 65 or section 66, or of entries under section 57, or for copying a document in the book appropriated therefor under section 52, per folio of 100 words in the body of the deed . . . . . 0 2 6

In addition to a fixed copying fee of 1 annas for endorsements copied.

Cantonments Act,  
1910.  
Definition of limits  
of Secunderabad  
Cantonment.

<sup>1</sup> No. 69, dated the 14th October 1911.—Not reprinted.  
[Hyderabad Residency Orders, 1911, Pt. I, p. 196.]

Inclusion of certain  
villages  
in Aurangabad  
Cantonment.

No. 16-J, dated the 23rd March 1908.—In exercise of the powers conferred on him by section 4 of the Cantonments Act, 1889 (XIII of 1889)<sup>2</sup>, as applied to the Cantonment of Aurangabad \*\* the Resident, with the previous sanction of the Governor General in Council, is pleased to notify the inclusion in the Cantonment of Aurangabad of the villages of Karanpura, Padampura, Kesrisinghpara and Kokanwar.

[Hyderabad Residency Orders, 1908, Pt. I, p. 42.]

Taxation.

Tax on houses,  
buildings and lands  
in Secunderabad.

No. 40, dated the 13th November, 1894.—In exercise of the powers conferred by section 17(1) of the Cantonments Act (XIII of 1889)<sup>2</sup> as applied to the Cantonment of Secunderabad \*\* and with the previous sanction of the Governor General in Council, the Resident is pleased to impose in the Cantonment of Secunderabad the tax described in section 20(1) (a) of the Central Provinces Municipal Act (XVIII of 1889), that is to say, a tax on all houses, buildings or lands situate within the Cantonment (except buildings or lands used exclusively for public worship or duly registered as burial or burning grounds) at the rate of seven per centum on the gross annual letting value of the houses, buildings or lands.

[Hyderabad Residency Orders, 1894, Pt. I, p. 310.]

Water tax in  
Secunderabad.

No. 39-A, dated the 30th September 1897.—In exercise of the powers conferred by section 17, sub-section (1), clause (a), of the Cantonments Act, 1889 (XIII of 1889)<sup>2</sup>, as applied to the Cantonment of Secunderabad \*\* and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to impose in the Cantonment of Secunderabad for the purpose of meeting the expenses connected with the construction and maintenance of works for the supply of water thereto a tax, to be called the water-tax, upon buildings or lands (other than those occupied by military persons) which are so situated that their occupiers can benefit by the said works.

The said tax shall be levied at the rate of 2½ per cent. on the gross annual letting value of such buildings and lands, and shall come into operation with effect from the first day of October, 1897, or such other date as may be fixed by the Resident by notification in the *Hyderabad Residency Orders*.

[Hyderabad Residency Orders, 1897, Supplement, p. 109.]

<sup>1</sup> Amended by notification No. 50, dated the 16th November, 1911. *Hyderabad Residency Orders*, 1911, Pt. I, p. 221.

<sup>2</sup> See now the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 542-I, Pt. I, dated the 27th March 1913. Printed Vol. I, p. 257.

No. 5, dated the 7th February 1908.—In exercise of the powers conferred by section 17 of the Cantonments Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council the Resident at Hyderabad is pleased to impose, with effect from the 1st day of April 1908, a conservancy tax at the rate specified below in the Cantonment of Secunderabad, in supersession of the latrine tax imposed in *Residency Orders* notification No. 16, dated 15th April 1896 :—

Conservancy tax in Secunderabad.

(a) Houses possessing private latrines : 5 per cent. on the gross annual letting value of the property.

(b) Houses without private latrines : 2½ per cent. on the gross annual letting value of the property.

[*Hyderabad Residency Orders*, 1908, Pt. I, p. 21.]

No. 88, dated the 20th December 1905.—In exercise of the powers conferred by section 17, sub-section (1), of the Cantonments Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council, the Resident is pleased to impose in the Cantonment of Secunderabad (inclusive of the area formerly known as the Contingent Station of Bolarum), with effect from the 1st April 1906, the tax described in section 3 of the Bombay Highway Act, 1883 (Bombay Act I of 1883), that is to say, a tax on all carriages, coaches, vans, carts, hackeries, horses and ponies, in accordance with the rates specified in the annexed schedule to be levied from all persons owning or having charge of the same, who are residents within the limits of the said Cantonment : Provided—

Tax on vehicles and animals owned by, or in the charge of persons resident in Secunderabad.

(a) that any person who may have owned or had charge of any vehicle or animal as aforesaid kept for use within the said Cantonment for a period exceeding fifteen and not exceeding thirty consecutive days in any quarter shall be liable to only one-third of the tax for that quarter, and for any period of a quarter exceeding thirty consecutive days shall be liable for the whole tax for that quarter ; and

(b) that no tax shall be leviable in respect of any vehicle or animal as aforesaid which has been out of use for the whole of any quarter, if due notice is given by the owner in accordance with the rules for the assessment and recovery of this tax.

<sup>1</sup> See now the Cantonments Act, 1910 (XV of 1910) as applied by notification No. 592-I B, dated the 22nd March 1913. Printed Vol. I, p. 227.

Provided also that nothing in this notification shall be deemed to apply to—

- (i) any vehicles or animals as aforesaid belonging to the Government or vehicles kept for sale by *bona fide* dealers and not used for any other purpose, or hackney carriages taxable under the Secunderabad Hackney Carriage Law, 1887; or
- (ii) any persons who are specially exempt from Cantonment taxation under any rules or law for the time being in force, or any persons whom the Resident at Hyderabad may, by an order in writing, exempt from the tax imposed by this notification; or
- (iii) officers' chargers; or
- (iv) any person who earns his livelihood wholly or principally by agriculture carried on within the limits of the said Cantonment; or
- (v) any class of person carrying on any petty trade, dealing or industry in the said Cantonment whom the Resident at Hyderabad may, from time to time, by notification<sup>1</sup> in the local Gazette, exempt from the tax imposed by this notification.

1. For the purposes of this Notification, the word "resident" includes any person who dwells or takes up his abode within the limits of the Cantonment of Secunderabad for a period exceeding fifteen days.

#### SCHEDULE.

	Per quarter.
	Rs. A. P.
(1) For a four-wheeled vehicle on springs, except a motor-car . . .	5 0 0
(2) For a four-wheeled motor car on springs . . .	7 8 0
(3) For a two-wheeled vehicle on springs . . .	2 0 0
(4) For a cart or hackery drawn by bullocks . . .	1 3 0
(5) For a horse or pony of the height of 12 hands or upwards . .	2 8 0
* * * *	*

[Hyderabad Residency Orders, 1906, Pt. I, p. 1.]

Dog tax in  
Secunderabad.

No. 103-J., dated the 19th October 1910.—In exercise of the powers conferred by<sup>2</sup> section 17, sub-section (1) of the Cantonments Act, 1889 (XIII of 1889), as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to impose the following tax in the Cantonment of Secunderabad with effect from the 1st January 1911.

<sup>1</sup> Notification No. 46, dated the 20th September 1906, exempts "dealers in grass and milk in the Cantonment." *Hyderabad Residency Orders, 1906, Pt. I, p. 55.*

<sup>2</sup> See now section 15, sub-section (1) of the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 182-J. D., dated the 22nd March 1913. Printed Volume I, p. 227.

## NATURE OF TAX.

On every dog of the age of six months or more, kept within the limits of the said Cantonment, shall be levied a tax of Hali Sikka Rupee one per annum: Provided that no tax shall be levied on dogs owned by any warrant on non-commissioned officer or soldier of His Majesty's regular forces: Provided also that, in the case of any British warrant or non-commissioned officer or soldier, this exemption shall not be applicable unless that warrant or non-commissioned officer or soldier belongs to a recognised Regimental Kennel Club.

[Hyderabad Residency Orders, 1910, Pt. I, p. 222.]

No. 91-J., dated the 15th December 1911.—In exercise of the powers (a) Tax on houses, lands and buildings. conferred by section 15(1) of the Cantonments Act, 1910 (XV of 1910), as applied to the Cantonment of Anrangabad \* \* and with the previous (b) Water tax. sanction of the Governor-General in Council, the Resident at Hyderabad (c) Latrine tax in Aurangabad is pleased to impose the following taxes at the rates specified below in the Cantonment of Aurangabad with effect from the 1st January 1912.

A. Tax on houses, lands and buildings.—7½ per cent on the gross annual letting value of houses, lands or buildings:

Provided that the tax shall not be levied on lands duly registered as burial or burning grounds: on any building or land the property of the State: on any building used exclusively as a place of public worship: on a serai, dispensary or hospital that is maintained for the purpose of giving relief to indigenous persons: or on a building used as a school, provided that such school is recognised by the local educational authorities and is not conducted for private profit.

## No. 28.

Page 229.—In the first line of paragraph B of notification No. 91-J., dated the 15th December 1911, substitute the figure "7" for the figure "9."

(Notification No. 4-J., dated the 19th January 1912.)

[Hyderabad Residency Orders, 1912, Pt. I, p. 9]

is within a radius of 600 feet from the nearest stand-  
or other

## No. 29.

Page 229.—At the end of proviso (2) to paragraph B of notification No. 91-J., dated the 15th December 1911, add the following, namely:—

"or on any building or land the property of the State and used for Government purposes, except such buildings as are occupied as residential quarters."

(Notification No. 25-J., dated the 6th August 1914.)



Provided also that nothing in this notification shall be deemed to apply to—

- (i) any vehicles or animals as aforesaid belonging to the Government or vehicles kept for sale by *bona fide* dealers and not used for any other purpose, or hackney carriages taxable under the Secunderabad Hackney Carriage Law, 1887; or
- (ii) any persons who are specially exempt from Cantonment taxation under any rules or law for the time being in force, or any persons whom the Resident at Hyderabad may, by an order in writing, exempt from the tax imposed by this notification; or
- (iii) officers' chargers; or
- (iv) any person who earns his livelihood wholly or principally by agriculture carried on within the limits of the said Cantonment; or
- (v) any class of person carrying on any petty trade, dealing or industry in the said Cantonment whom the Resident at Hyderabad may, from time to time, by notification<sup>1</sup> in the local Gazette, exempt from the tax imposed by this notification.

1. For the purposes of this Notification, the word "resident" includes any person who dwells or takes up his abode within the limits of the Cantonment of Secunderabad for a period exceeding fifteen days.

#### SCHEDULE.

	Per quarter. Rs. A. P.
(1) For a four-wheeled vehicle on springs, except a motor-car . . . .	5 0 0
(2) For a four-wheeled motor car on springs . . . . .	7 8 0
(3) For a two-wheeled vehicle on springs . . . . .	3 0 0
(4) For a cart or hackery drawn by bullocks . . . . .	1 2 0
(5) For a horse or pony of the height of 12 hands or upwards . . . .	2 8 0
* * * * *	*

[Hyderabad Residency Orders, 1906, Pt I, p 1]

Dog tax in  
Secunderabad.

No. 103-J, dated the 19th October 1910. —In exercise of the powers conferred by<sup>2</sup> section 17, sub-section (1) of the Cantonments Act, 1859 (XIII of 1859), as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to impose the following tax in the Cantonment of Secunderabad with effect from the 1st January 1911.

<sup>1</sup> Notification No. 45, dated the 29th September 1909, exempts "vehicles in grass and in the Cantonment." Hyderabad Residency Orders, 1909, Pt I, p 85.

<sup>2</sup> For now section 15, sub-section (1) of the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 282-J, Pt. dated the 22nd March 1912. Printed Volume I, p 227.

## NATURE OF TAX.

On every dog of the age of six months or more, kept within the limits of the said Cantonment, shall be levied a tax of Hali Sikka Rupee one per annum: Provided that no tax shall be levied on dogs owned by any warrant on non-commissioned officer or soldier of His Majesty's regular forces: Provided also that, in the case of any British warrant or non-commissioned officer or soldier, this exemption shall not be applicable unless that warrant or non-commissioned officer or soldier belongs to a recognised Regimental Kennel Club.

[Hyderabad Residency Orders, 1910, Pt. I, p. 222.]

No. 91-J., dated the 15th December 1911.—In exercise of the powers (a) Tax on houses, lands and buildings. as conferred by section 15(1) of the Cantonments Act, 1910 (XV of 1910), as applied to the Cantonment of Aurangabad \* \* and with the previous (b) Water tax. sanction of the Governor-General in Council, the Resident at Hyderabad (c) Latrine tax in Aurangabad. is pleased to impose the following taxes at the rates specified below in the Cantonment of Aurangabad with effect from the 1st January 1912.

A. Tax on houses, lands and buildings.— $7\frac{1}{2}$  per cent on the gross annual letting value of houses, lands or buildings:

Provided that the tax shall not be levied on lands duly registered as burial or burning grounds: on any building or land the property of the State: on any building used exclusively as a place of public worship: on a serai, dispensary or hospital that is maintained for the purpose of giving relief to indigenous persons: or on a building used as a school, provided that such school is recognised by the local educational authorities and is not conducted for private profit.

## No. 28.

Page 229.—In the first line of paragraph B of notification No. 91-J., dated the 15th December 1911, substitute the figure "7" for the figure "9."

(Notification No. 4-J, dated the 19th January 1912.)

[Hyderabad Residency Orders, 1912, Pt. I, p. 9.]

is within a radius of 600 feet from the nearest stand-pipe

## No. 29.

Page 229 — At the end of proviso (2) to paragraph B of notification No. 91-J., dated the 15th December 1911, add the following, namely:—

"or on any building or land the property of the State and used for Government purposes, except such buildings as are occupied as residential quarters."

(Notification No. 52-J, dated the 6th August 1914.)

*C. Latrine Tax—*

- (a) Houses possessing private latrines,  $7\frac{1}{2}$  per cent. on the gross annual letting value of the property.
- (b) Houses without private latrines,  $2\frac{1}{2}$  per cent. on the gross annual letting value of the property.

The taxes shall be paid as follows :—

A. By the owner.

B. } 1. In the case of houses as defined in the Cantonments (House Accommodation) Act, 1902 (II of 1902), by the occupier :

C. } 2. In the case of all other houses, by the owner.

[*Hyderabad Residency Orders, 1912, Pt. I, p. 1.*]

Dog tax in  
Aurangabad.

*No. 13, dated the 15th February 1907.*—In exercise of the powers conferred by section 17, sub-section (1) of the Cantonments Act, 1889 (XIII of 1889), as applied to the Cantonment of Aurangabad, and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to impose the following tax in the Cantonment of Aurangabad with effect from the 1st April 1907.

NATURE OF TAX.

On every dog of the age of 6 months or more, kept within the limits of the said Cantonment, shall be levied a tax of Hali Sikka Rupee one per annum.

[*Hyderabad Residency Orders, 1907, Pt. I, p. 15.*]

Rules for the  
assessment and  
recovery of the tax  
on houses, buildings  
and lands in  
Secunderabad.

*No. 41, dated the 12th December 1894.*—In exercise of the powers conferred by section 17(2) of the Cantonments Act (XIII of 1889) as applied to the Cantonment of Secunderabad \* \* , and with the previous sanction of the Governor-General in Council, the Resident is pleased to issue the following rules for the assessment and recovery of the tax imposed in the Cantonment of Secunderabad by notification<sup>1</sup> No. 40 of the 13th November 1894.

1. In these rules "owner" includes—

Beagal Municipal  
Act, III of 1894.  
Section 6.

(a) every person who is entitled for the time being to receive any rent in respect of the property with regard to which the word is used, whether from the occupier or otherwise ;

(b) a manager on behalf of any such person ;

(c) an agent for any such person ;

(d) a trustee for any such person :

<sup>1</sup> See now section 15 of the Cantonments Act, 1910 (XV of 1910) as applied by notification No. 272-J B, dated the 22nd March 1913. Printed Volume I, p. 227.

<sup>2</sup> Printed *supra* p. 225.

Provided that no arrear of tax which has remained due from the owner of any property for more than one year shall be so recovered from the occupier thereof.

10. Whenever, from the circumstances of the case, the levy of the tax on any property in the Cantonment would be productive of excessive hardship to the person liable to pay the same the Committee at a meeting may reduce the amount payable on account of such property or may remit the same.

11. If the value of any property shall be diminished from any cause beyond the control of the owner thereof, the owner thereof may apply for reduction of the valuation of the same.

12. The Committee may, at any time after the publication of the notice required by rule 10, value any property which was without authority omitted from the valuation list, or which has become liable to valuation after the publication thereof; and may enhance the valuation of any property which may appear to have been insufficiently valued through mistake, oversight or fraud; and may re-value any land the value of which has been increased by additions or alterations to any building thereon.

Any valuation, enhancement or re-valuation made under this rule shall take effect from the beginning of the quarter next following that in which the same shall be made.

13. The Committee may, at any time, substitute for any name mentioned in the valuation list, the name of any person to whom any property mentioned therein shall have been transferred.

Such person shall be liable to pay the tax payable on such property from the first day of the quarter next after the date of the transfer.

14. When any property has been vacant for sixty or more consecutive days during any year the Committee shall remit, and if the tax has been paid, shall refund, so much of the tax of that year as may be proportionate to the number of days the said property has remained unoccupied.

Provided that the owner of such property or his agent has given to the Committee notice in writing of the vacancy thereof, and that the application for refund is made within six months from the date on which such notice is delivered at the office of the Committee.

Bengal Municipal  
Act, III of 1884,  
S. 106.

Ditto S. 107

Ditto S. 108

Ditto S. 109

Ditto S. 110

7. The Committee shall, as soon as possible, cause to be prepared a valuation list, which shall contain the following particulars and any others which the

Preparation of valuation list,

committee may think proper to include:—

- (a) name of the street or road in which the property is situated ;
- (b) number of the property on the register ;
- (c) description of the property ;
- (d) annual value of the property ;
- (e) name of owner ;
- (f) amount of tax payable for the year ;
- (g) amount of quarterly instalment ;
- (h) if the property is exempted from assessment, a note to that effect.

The tax shall be payable in <sup>1</sup>[half-yearly] instalments by the owner of the property.

Ditto S. 104.

8. If any house belongs to one owner, and the land on which it stands Powers to assess a consolidated tax and any adjacent land which is usually occupied therewith belongs to another, the Committee may value such house and land together, and may levy in respect thereof one consolidated tax.

Such consolidated tax shall be payable by the owner of the house, who shall thereafter be entitled to deduct from the rent which he pays for the land such proportion of the tax so paid by him as is equal to the proportion which such rent bears to the annual value of the property.

If the owner of the house and the owner of the land do not agree in respect of the proportion of the tax so deducted by the owner of the house, the Committee shall, on the application of either party, make an award declaring the amount payable by each, and such award shall be final.

Ditto S. 105.

9. If the sum due from the owner of any property remains unpaid after the notice of demand has been duly served, and such owner be not resident within the cantonment, or the place of abode of such owner be unknown, the same may be recovered from the occupier for the time being of such property, who may deduct, from the next and following payments of his rent, the amount which may be so paid by or recovered from him :

<sup>1</sup> Substituted by notification No. 42, dated the 27th December 1895. Hyderabad Residency Orders, 1896, Pt. I, p. 2.

his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance :

Provided that he shall not enter or break open the door of any room appropriated for the zenana, or residence of women, which by the usage of the country is considered private, except after three hours' notice and opportunity given for the retirement of the women.

28. If the sum due be not paid with costs before the time fixed for the sale, or the warrant be not discharged, Bengal Municip. Act, III of 1854 S. 121.

Sales how to be conducted, ed or suspended by the Committee, the moveable property seized shall be sold by auction, at the time and place specified, in the most public manner possible, and the proceeds shall be applied in discharge of the arrears and costs.

The surplus sale proceeds (if any) shall be paid on demand to the defaulter or any person authorized by him to receive the same.

The tax-collector or other officer authorized in that behalf shall make a return of all such sales to the Committee in the form marked E in the second schedule.

29. All officers and servants of the Committee, and all chowkidars, constables and other officers of police, Ditto S.  
Certain persons prohibited from purchasing at sales, are prohibited from purchasing any property at any such sale.

Committee to keep accounts of distress and sales. Ditto S.  
30. The Committee shall cause a regular account to be kept of all distress levied, and sales made, for the recovery of taxes under these rules.

31. If no sufficient moveable property belonging to a defaulter, or being upon the premises in respect of which he is assessed, can be found within the cantonment, the District Magistrate, Ditto S. 6 (a) 127.  
Sale of property beyond limits of cantonment, or any Magistrate empowered by him in this behalf, may, on the application of the Committee, issue his warrant to any officer of his court for the distress and sale of any moveable property belonging to the defaulter within any other part of the jurisdiction of the District Magistrate, or for the distress and sale of any moveable property belonging to the defaulter within the jurisdiction of any other Magistrate exercising jurisdiction within the territories administered by the Resident at Hyderabad. And such other Magistrate shall endorse the warrant so issued, and cause it to be executed, and the amount, if levied, to be remitted to the Magistrate issuing the warrant, who shall remit the same to the Committee.

costs on the scale shown in the table of fees marked B in the second schedule may at any time within three months after the date of service of the said notice or of the order made on the application for review as aforesaid, be levied by distress and sale of any moveable property belonging to the defaulter, except ploughs, plough cattle, tools or implements of agriculture or trade, wherever found, or of any moveable property belonging to any other person, subject to the same exceptions, which may be found upon the premises in respect of which such defaulter is liable to the tax :—

Provided that when the property in respect of which the default is committed is a place of business, and the moveable property distrained is shown to the satisfaction of the Committee to have been left there for repairs or safe custody in the ordinary course of business, it shall be released :

Provided also that if such last-mentioned property or any part thereof belongs to any person other than the defaulter, the defaulter shall be liable to indemnify the owner thereof for any damage he may sustain by reason of such distress or by reason of any payment he may make to avoid such distress, or any sale under the same.

Bengal Municipal  
Act, III of 1884,  
s. 122.

20. Every warrant of distress and sale under rule 25 shall be issued by the Secretary, and shall be in the form marked C in the second schedule.

Distress how to be made.

Distress shall be made by actual seizure of moveable property, and the officer charged with the execution of the warrant shall be responsible for the due custody thereof.

Such officer shall make an inventory of all moveable property seized under the warrant, and shall give not less than ten days' previous notice of the sale, and of the time and place thereof, by beat of drum, and by serving on the defaulter a notice in the form marked D in the second schedule :

Provided that, if the property is of a perishable nature, it may be sold at once with the consent of the defaulter, or without such consent at any time after the expiry of six hours from the seizure.

Date S. 123.

27. The officer charged with the execution of the warrant may, under the special order of the Secretary, between sunrise and sunset, break open

any outer or inner door or window of a house in order to make the distress, if he has reasonable ground for believing that such house contains any moveable property belonging to the defaulter, and if, after notification of

his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance :

Provided that he shall not enter or break open the door of any room appropriated for the zenana, or residence of women, which by the usage of the country is considered private, except after three hours' notice and opportunity given for the retirement of the women.

28. If the sum due be not paid with costs before the time fixed for the sale, or the warrant be not discharged, Bengal Municipal Act, III of 1894, S. 121.

Sales how to be conducted. ed or suspended by the Committee, the  
moveable property seized shall be sold by auction, at the time and place specified, in the most public manner possible, and the proceeds shall be applied in discharge of the arrears and costs.

The surplus sale proceeds (if any) shall be paid on demand to the defaulter or any person authorized by him to receive the same.

The tax-collector or other officer authorized in that behalf shall make a return of all such sales to the Committee in the form marked E in the second schedule.

29. All officers and servants of the Committee, and all chowkidars, constables and other officers of police, are prohibited from purchasing any property at any such sale.

Ditto S. 125.

Certain persons prohibited from purchasing at sales.

Committee to keep accounts of distress and sales.

30. The Committee shall cause a regular account to be kept of all distress levied, and sales made, for the

Ditto S. 126.

recovery of taxes under these rules.

31. If no sufficient moveable property belonging to a defaulter, or being upon the premises in respect of which he is assessed, can be found within the cantonment, the District Magistrate, Ditto S. 6 (8) and 127.

Sale of property beyond limits of cantonment.

or any Magistrate empowered by him in this behalf, may, on the application of the Committee, issue his warrant to any officer of his court for the distress and sale of any moveable property belonging to the defaulter within any other part of the jurisdiction of the District Magistrate, or for the distress and sale of any moveable property belonging to the defaulter within the jurisdiction of any other Magistrate exercising jurisdiction within the territories administered by the Resident at Hyderabad. And such other Magistrate shall endorse the warrant so issued, and cause it to be executed, and the amount, if levied, to be remitted to the Magistrate issuing the warrant, who shall remit the same to the Committee,



Bengal Municipal  
Act, III of 1884,  
S. 128.

32. No distress or sale made under these rules shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any error, defect or want of form in the bill, notice, summons, warrant of distress, inventory or other proceeding relating thereto.

Distress or sale not unlawful for want of form.

Ditto S. 129.

33. Instead of proceeding by distress and sale or in case of failure to realize thereby the whole or any part of the tax, the Committee may sue the person liable to pay the same in any court of competent jurisdiction.

Committee may bring suit instead of distraining, or on failure of distress.

Ditto S. 130.

34. The Committee may order to be struck off the books the amount of any tax which may appear to them to be irrecoverable.

Irrecoverable taxes.

Ditto S. 354.

35. Every order, notice or other document directed to be published under these rules shall be written in, or translated into the vernacular and deposited in the office of the Committee, and a copy shall be posted up in a conspicuous position at such office and in such other public places as the Committee may direct.

Publication of orders.

And a public proclamation shall be made throughout the cantonment by beat of drum, notifying that such copy has been so posted up, and that the original is open to inspection in the office of the Committee.

## THE FIRST SCHEDULE.

### Form A. (See Rule 16.)

Bengal Municipal  
Act, III of 1884,  
Schedule 2, Form B.

Notice to be published of the preparation of the valuation list of property.

### Cantonment of Secunderabad.

Whereas a valuation list for the purposes of the tax on houses, buildings and land has been deposited in the office of the Cantonment Committee as required by rule 16 of the rules for the assessment and recovery of the said tax, notice is hereby given that the said list is open to the inspection of all persons desiring to inspect the same at the said office during office hours on any day not being a close holiday; and that the several owners of the property included therein are hereby required to pay the quarterly instalments, set opposite to their names, with regularity at the said office for or to the tax collector or other officer authorized to receive the payment.

the first payment to be made on the first day of ( ) and every subsequent payment on or before the first day of ( ), the first day of ( ) and the first day of ( ), and in default thereof any arrear that may be due will be realized by distress and sale of the moveable property belonging to the defaulter, or which may be found on the property in respect of which the valuation is made, and by such other proceedings as are allowed by law.

A. B.

*Dated this    day of                      Secretary to the Cantonment Committee.*

## THE SECOND SCHEDULE.

Form A. (*See Rule 24.*)

Notice of Demand.

To \_\_\_\_\_

*Cantonment of Secunderabad.*

Take notice that the sum of Rs.                      , being the amount due from you as shown in the accompanying bill, is hereby demanded from you, and that if you do not within 15 days pay the same to an officer authorized to receive payment, or into the office of the Cantonment Committee, the amount together with costs will be levied by distress and sale of your moveable property, or otherwise as provided by law.

*Bengal Municipal  
Act, 111 of 1884,  
Schedule 4, Form A.*

B. B.

*Secretary to the Cantonment Committee.*

(The following note will be added at the foot of the above notice in those cases only in which the notice is to be addressed to a person who has not already paid one instalment of the tax at the rate at which the demand is made).

NOTE.—If you have any objection to make against this demand, you may, instead of paying the amount which is hereby demanded, present a petition to the Committee praying for a review of the amount assessed. Such petition must be presented within 15 days of the service of this notice otherwise it will not be received. If you present such petition, no amount will be levied from you, until the Committee shall have passed an order on your petition; but after 15 days from such order the amount due by you, with such costs as the Committee may direct, will be levied unless it has been previously paid.

## FORM B. (See Rule 25.)

Bengal Municipal  
Act, III of 1884,  
Schedule 4, Form B.

*Table of fees payable upon distrains under these rules.*  
Sums distrained for—

		Fee.	
		Rs.	a.
Under Rs. 5			
" 5 and under Rs. 10		0	4
" 10	" 15	0	8
" 15	" 20	1	0
" 20	" 25	1	4
" 25	" 30	1	8
" 30	" 35	1	12
" 35	" 40	2	0
" 40	" 45	2	4
" 45	" 50	2	8
" 50	" 60	3	0
" 60	" 80	3	8
" 80	" 100	4	8
Above 100		5	0

The above charge covers all expenses including the service of notice of demand, except when peons are kept in charge of property distrained, in which case 8 annas must be paid daily for each man. If the amount demanded be paid or the warrant discharged before the sale is held, so that no sale is necessary, one-fourth of the fees specified in the above table shall be remitted.

## FORM C. (See Rule 26.)

*District Warrant.*

Ditto, Schedule 4, Form C. To (here insert the name of the officer charged with the execution of the warrant).

Whereas \_\_\_\_\_ of \_\_\_\_\_ has not paid or shown sufficient cause for the non-payment of the sum of \_\_\_\_\_ rupees due for the tax mentioned in the margin, although the said sum has been duly demanded in writing from the said \_\_\_\_\_, and fifteen days have elapsed since the service of the notice of demand. This is to require you to distrain the moveable property of the said \_\_\_\_\_ wherever it may be found within the Cantonment, except ploughs, plough-cattle, tools or implements of agriculture or trade, or any other moveable property, subject to the same exceptions, which may be found upon the premises specified in the margin to the amount of the said sum of \_\_\_\_\_ and the further sum of \_\_\_\_\_ to defray the charges of taking, keeping, and selling such property ;

<sup>1</sup> Substituted by notification No. 26, dated the 20th May 1893. *Hyderabad Residency Orders*, 1893, Pt. I, p. 101.

and if within 10 days next after such distress the said sum of                      shall not be paid, to sell the said property, and having paid and deducted out of the proceeds of the sale the said sum of                      and the charges of taking, keeping, and selling such property, to return the surplus (if any) on demand to the person whom you shall have found in possession of the said property, and, if no demand be made, to pay the same to the Committee. If distress cannot be made of sufficient property of the said                     , you are to certify the same to the Committee in returning this warrant.

A. B.

*Secretary to the Cantonment Committee.*

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FORM D. (See Rule 26.)

*Form of Inventory and Notice.*

(State particulars of goods seized.)

Take notice that I have this day seized the property specified in the above inventory for the sum of                      due for the tax mentioned in the margin, and that, unless you pay to me or into the office of the Cantonment Committee the said sum of                      and the further costs of this distraint as specified below, within ten days from the day of the date of this notice, the property will be sold.

(Signature of the officer executing the warrant of distress.)

Costs of distraint—

Date

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FORM E. (See Rule 28.)

*Register of distraints of property and sales held on account of arrears for the month of                      in*

1. Name of defaulter.
2. Number on register and specification of the property on account of which the arrear is due. Ditto, Schedule 4, Form E.
3. Amount of arrear due.
4. Amount of costs and penalty
5. Total amount to be realized,

6. Inventory of property seized under distress.
7. Date of distress.
8. Date of sale.
9. Detail of articles sold.
10. Amount realized on each article.
11. Purchaser's name.
12. Total amount realized.
13. Amount paid into the office of the Committee on account of the arrear due with date.
14. Amount paid into the office of the Committee on account of costs and penalties.
15. Surplus proceeds of sale remaining after deducting the amount of arrears, costs and penalties due.
16. How the surplus was disposed of, with date of such disposal.
17. Balance of arrear still remaining unrealized, if any.
18. On what date such remaining balance was realized, or written off by authority
19. Remarks (explaining why the property seized was released without sale, if not eventually sold, etc., etc.)

[*Hyderabad Residency Orders*, 1894, Pt. I, p. 331.]

Rules for the assessment and recovery of the water tax in Secunderabad.

No. 35-B, dated the 30th September 1897.—In exercise of the powers conferred by section 17, sub-section (2), of the Cantonments Act, 1880 (XIII of 1889), as applied to the Cantonment of Secunderabad \* \* and of all other powers enabling him in that behalf, and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to issue the following rules adapted from certain provisions contained in the Punjab Municipal Act, 1891 (XX of 1891), for the assessment and recovery of the water-tax on buildings and lands within the Cantonment of Secunderabad imposed by notification<sup>1</sup> No. 30-A. of this date :—

The gross annual letting value shall for the purposes of the water-tax be that determined<sup>2</sup> by the Cantonment Committee for the purposes of assessment to the house-tax imposed by the *Hyderabad Residency Orders*, notification<sup>3</sup> No. 40, dated the 13th November 1894, and shall, together with the amount of the water-tax calculated thereon and of the instalments thereof, the name and number of the property, the names of the owner and occupier, if known, and such further particulars as may be found

<sup>1</sup> See now section 15, sub-section (2) of the Cantonments Act, 1910, as applied by notification No. 582-I. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra*, p. 220.

<sup>3</sup> See rules printed *supra*, p. 230.

desirable, be entered in a register to be prepared by the Cantonment Committee and maintained and published in the manner provided for the list of assessment to the said house-tax.

2. The water tax shall be payable by the occupier for the time being of the property, or by the owner thereof, in half-yearly instalments to be deemed due in advance on the first day of April<sup>1</sup> and the first day of October of each year :

Recovery of the water tax.  
Provided that the first instalment of the said tax shall be recoverable on the first day of October 1897, and shall be so levied for the quarter ending on the 31st December following.

3. Any arrears of the water-tax claimable by the Cantonment Committee under these rules may be recovered in the manner prescribed in the rules for the assessment and recovery of the house-tax.

4. The Cantonment Committee may, by resolution passed at a special meeting and confirmed by the Resident, reduce the water-tax should the total net proceeds of the tax with the estimated income from payments for water supplied from the works under special contracts exceed the amount required for the repayment of the loan raised in connection with the works and the cost of their up-keep.

[*Hyderabad Residency Orders, 1897, Pt. I, p. 199.*]

No. 40, dated the 11th May 1908.—In exercise of the powers conferred by section<sup>2</sup> 17 (2) of the Cantonment Act (XIII of 1889), as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council, the Resident is pleased to issue the following rules for the assessment and recovery of the conservancy tax leviable in the Cantonment of Secunderabad under *Residency Orders* notification<sup>3</sup> No 5, dated the 17th February 1908.

Rules for the assessment and recovery of the conservancy tax in Secunderabad.

1. The gross annual letting value shall, for the purposes of this tax, be that determined<sup>4</sup> by the Cantonment Committee for the purposes of assessment to house tax, and shall, together with the amount of the conservancy tax calculated thereon and of the instalments

Bengal Municipalities Act, III of 1884, sections 321 and 322.

The preparation, maintenance and publication of the assessment list.

<sup>1</sup> Substituted by notification No. 54, dated the 7th June 1907 *Hyderabad Residency Orders, 1907, Pt. I, p. 81.*

<sup>2</sup> See now section 15, sub-section (2) of the Cantonment Act, 1910, as applied by notification No. 582-I. B, dated the 22nd March 1913 Printed Vol. I, p. 227.

<sup>3</sup> Printed *supra*, p. 227.

<sup>4</sup> See rules printed *supra* p. 230.

thereof, the name and number of the property, the names of the owner and occupier, if known, and such further particulars as may be found desirable, be entered in a register to be prepared by the Cantonment Committee, and maintained and published in the manner provided for the list of assessment to house tax.

Bengal Municipalities Act, III of 1881, Section 322.

2. The tax shall be payable by the occupier for the time being of the property or by the owner thereof under the next succeeding rule in half-yearly instalments to be deemed due in advance on the 1st of April and the 1st of October, and shall be recoverable in the manner prescribed in the rules for the assessment and recovery of house tax.

Ditto, Section 323.

3. If any property is occupied in severalty by more than one person, the Cantonment Committee may decide to levy the tax from the owner of that property, who may recover from each occupier, such sum as shall bear to the entire amount of the tax so levied the same proportion as the value of the part of the property in the occupation of such person bears to the value of the entire property.

Ditto, Section 324.

4. Every owner who, under the provisions of the last preceding rule, is entitled to recover any sum from an occupier of any part of the property, shall have for the recovery of the said sum all such and the same remedies, powers, rights, and authorities as if such sum were rent payable to him by that occupier in respect of such portion of the property as may be in his occupation.

Ditto, Sections 113, 114, and 115.

5. Any person dissatisfied with the amount of conservancy tax imposed, or who denies his ownership or occupation of the property assessed, may apply to the Committee to review the assessment in the manner prescribed in the rule for the assessment and recovery of house tax, provided that the issue raised be not one already decided thereunder. The Committee shall on such application fix a date for the hearing of such application and shall hear and decide the question or questions in issue, and shall thereupon, if necessary, review the assessment or make such other order in the matter as may be just.

Ditto, Section 44.

6. The Cantonment Committee may by resolution depute its Secretary to perform its functions and exercise its powers under all or any of these rules, excepting rule 5.

[Hyderabad Residency Orders, 1908, Pt. I, p. 56.]

No. 89, dated the 20th December 1905.—In exercise of the powers conferred by section 17, sub-section (2) of the Cantonment Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident is pleased to apply the rules in force in the Municipal areas notified under the Bombay Highway Act, 1883 (Bombay Act I of 1883) in the adapted form hereinafter set forth for the assessment and recovery of the tax imposed in the Cantonment of Secunderabad by notification<sup>2</sup> No. 88 of 20th December 1905.

#### PRELIMINARY.

\* Collector " defined.

1. In these Rules, the word " Collector " means the Cantonment Magistrate.

#### ASSESSMENT.

2. The Collector shall cause to be prepared once a year, in a book to be provided by him for this purpose, a list of the persons liable to the said tax, showing in distinct columns :—

- (a) the names and residences of such persons;
- (b) the description of vehicles or animals in respect of which they are respectively liable to the tax;
- (c) the amount of tax for which each such person is assessed for each quarter of the year; and
- (d) the amount of the said tax, if any or remitted in each quarter under clause (a) or (b) of notification<sup>2</sup> No. 88, dated 20th December 1905.

The said book shall be kept at the office of the Collector and shall be open to the inspection of any respectable resident of the Cantonment.

3. To enable the Collector to have such list prepared, he shall send, to every person supposed to be liable to the payment of the tax, a schedule to be filled up by such person with such information respecting the vehicles and animals owned by him, or in his charge, as the Collector thinks necessary for the assessment of the tax, and to return it, under his signature or mark, within one week, from the receipt thereof

Every person to whom any such schedule is sent shall be bound to fill up and return the same as so required, whether he be liable to be assessed to the tax or not.

<sup>1</sup> See now the Cantonments Act, 1910 (XV of 1910) as applied by notification No. 582-J. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra* p. 227.



thereof, the name and number of the property, the names of the owner and occupier, if known, and such further particulars as may be found desirable, be entered in a register to be prepared by the Cantonment Committee, and maintained and published in the manner provided for the list of assessment to house tax.

Bengal Municipalities Act, 111 of 1884, Section 322.

2. The tax shall be payable by the occupier for the time being of the property or by the owner thereof under the next succeeding rule in half-yearly instalments to be deemed due in advance on the 1st of April and the 1st of October, and shall be recoverable in the manner prescribed in the rules for the assessment and recovery of house tax.

Recovery of the conservancy tax.

3. If any property is occupied in severally by more than one person, the Cantonment Committee may decide to levy the tax from the owner of that property, who may recover from each occupier, such sum as shall bear to the entire amount of the tax so levied the same proportion as the value of the part of the property in the occupation of such person bears to the value of the entire property.

In cases of occupation in severally tax leviable from owner.

4. Every owner who, under the provisions of the last preceding rule, is entitled to recover any sum from an occupier of any part of the property, shall have for the recovery of the said sum all such and the same remedies, powers, rights, and authorities as if such sum were rent payable to him by that occupier in respect of such portion of the property as may be in his occupation.

Owner may recover cess from occupier as rent.

5. Any person dissatisfied with the amount of conservancy tax imposed, or who denies his ownership or occupation of the property assessed, may apply to the Committee to review the assessment in the manner prescribed in the rule for the assessment and recovery of house tax, provided that the issue raised be not one already decided thereunder. The Committee shall on such application fix a date for the hearing of such application and shall hear and decide the question or questions in issue, and shall thereupon, if necessary, review the assessment or make such other order in the matter as may be just.

Application for review of assessment.

6. The Cantonment Committee may by resolution depute its Secretary to perform its functions and exercise its powers under all or any of these rules, excepting rule 5.

Committee may delegate some power to Secretary.

[Hyderabad Residency Orders, 1905, Pt. I, p. 56.]

Ditto, Section 323.

Ditto, Section 324.

Ditto, Sections 113, 114, and 115.

Ditto, Section 41.

No. 89, dated the 20th December 1905.—In exercise of the powers conferred by section 17, sub-section (2) of the Cantonment Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident is pleased to apply the rules in force in the Municipal areas notified under the Bombay Highway Act, 1883 (Bombay Act I of 1883) in the adapted form hereinafter set forth for the assessment and recovery of the tax imposed in the Cantonment of Secunderabad by notification<sup>2</sup> No. 88 of 20th December 1905.

Rules for the assessment and recovery of the tax on vehicles or animals in Secunderabad.

#### PRELIMINARY.

1. In these Rules, the word "Collector" means the Cantonment Magistrate.

#### ASSESSMENT.

2. The Collector shall cause to be prepared once a year, in a book to be provided by him for this purpose, a list of the persons liable to the said tax, showing in distinct columns :—

- (a) the names and residences of such persons;
- (b) the description of vehicles or animals in respect of which they are respectively liable to the tax;
- (c) the amount of tax for which each such person is assessed for each quarter of the year; and
- (d) the amount of the said tax, if any or remitted in each quarter under clause (a) or (b) of notification<sup>2</sup> No. 88, dated 20th December 1905.

The said book shall be kept at the office of the Collector and shall be open to the inspection of any respectable resident of the Cantonment.

3. To enable the Collector to have such list prepared, he shall send, to every person supposed to be liable to the payment of the tax, a schedule to be filled up by such person with such information respecting the vehicles and animals owned by him, or in his charge, as the Collector thinks necessary for the assessment of the tax, and to return it, under his signature or mark, within one week, from the receipt thereof.

Every person to whom any such schedule is sent shall be bound to fill up and return the same as so required, whether he be liable to be assessed to the tax or not.

<sup>1</sup> See now the Cantonments Act, 1910 (XV of 1910) as applied by notification No 282-I. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra* p. 227.

thereof, the name and number of the property, the names of the owner and occupier, if known, and such further particulars as may be found desirable, be entered in a register to be prepared by the Cantonment Committee, and maintained and published in the manner provided for the list of assessment to house tax.

Beagal Municipalities Act, III of 1884, Section 322.

2. The tax shall be payable by the occupier for the time being of the property or by the owner thereof under the next succeeding rule in half-yearly instalments to be deemed due in advance on the 1st of April and the 1st of October, and shall be recoverable in the manner prescribed in the rules for the assessment and recovery of house tax.

Ditto, Section 323.

3. If any property is occupied in severalty by more than one person, the Cantonment Committee may decide to levy the tax from the owner of that property, who may recover from each occupier, such sum as shall bear to the entire amount of the tax so levied the same proportion as the value of the part of the property in the occupation of such person bears to the value of the entire property.

In cases of occupation in severalty tax leviable from owner.

Ditto, Section 324.

4. Every owner who, under the provisions of the last preceding rule, is entitled to recover any sum from an occupier of any part of the property, shall have for the recovery of the said sum all such and the same remedies, powers, rights, and authorities as if such sum were rent payable to him by that occupier in respect of such portion of the property as may be in his occupation.

Owner may recover cess from occupier as rent.

Ditto, Sections 113, 114, and 115.

5. Any person dissatisfied with the amount of conservancy tax imposed, or who denies his ownership or occupation of the property assessed, may apply to the Committee to review the assessment in the manner prescribed in the rule for the assessment and recovery of house tax, provided that the issue raised be not one already decided thereunder. The Committee shall on such application fix a date for the hearing of such application and shall hear and decide the question or questions in issue, and shall thereupon, if necessary, review the assessment or make such other order in the matter as may be just.

Application for review of assessment.

Ditto, Section 44.

Committee may delegate some power to Secretary.

6. The Cantonment Committee may by resolution depute its Secretary to perform its functions and exercise its powers under all or any of these rules, excepting rule 5.

[Hyderabad Residency Orders, 1908, Pt. I, p. 56.]

No. 89, dated the 20th December 1905.—In exercise of the powers conferred by section 17, sub-section (2) of the Cantonment Act (XIII of 1889)<sup>1</sup>, as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor General in Council, the Resident is pleased to apply the rules in force in the Municipal areas notified under the Bombay Highway Act, 1883 (Bombay Act I of 1883) in the adapted form hereinafter set forth for the assessment and recovery of the tax imposed in the Cantonment of Secunderabad by notification<sup>2</sup> No. 88 of 20th December 1905.

Rules for the assessment and recovery of the tax on vehicles or animals in Secunderabad.

#### PRELIMINARY.

1. In these Rules, the word "Collector" means the Cantonment Magistrate.

#### ASSESSMENT.

2. The Collector shall cause to be prepared once a year, in a book to be provided by him for this purpose, a list of the persons liable to the said tax, showing in distinct columns :—

Assessment book to be kept.

- (a) the names and residences of such persons;
- (b) the description of vehicles or animals in respect of which they are respectively liable to the tax;
- (c) the amount of tax for which each such person is assessed for each quarter of the year; and
- (d) the amount of the said tax, if any or remitted in each quarter under clause (a) or (b) of notification<sup>2</sup> No. 88, dated 20th December 1905.

The said book shall be kept at the office of the Collector and shall be open to the inspection of any respectable resident of the Cantonment.

3. To enable the Collector to have such list prepared, he shall send, to every person supposed to be liable to the payment of the tax, a schedule to be filled up by such person with such information respecting the vehicles and animals owned by him, or in his charge, as the Collector thinks necessary for the assessment of the tax, and to return it, under his signature or mark, within one week, from the receipt thereof.

Returns to be required by the Collector from persons supposed to be liable to the tax.

Every person to whom any such schedule is sent shall be bound to fill up and return the same as so required, whether he be liable to be assessed to the tax or not.

<sup>1</sup> See now the Cantonments Act, 1910 (XV of 1910) as applied by notification No. 532-J. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra* p. 227.

4. (1) The person who keeps any vehicle or animal for use, whether he be the owner thereof or hires it or has the loan of it or has charge of it in any other capacity, shall be deemed to be the person liable to be assessed to the tax.

(2) If one and the same vehicle or animal be so kept for use in any quarter by two or more different persons, each person who so keeps the vehicle or animal for more than 15 days shall be assessed to the tax :

Provided, first, that, if a vehicle or animal is kept for use by several different persons, other than the owner thereof, consecutively, in one quarter and all or some of such persons are not liable to the tax owing to their not keeping the vehicle or animal for more than 15 days each, the owner of the said vehicle or animal shall, if resident within the Cantonment, be assessed to the quarter's tax or to the portion of the tax not recoverable from any of the said persons, as the case may be :

Provided, second, that the aggregate of the sums recovered from any two or more persons for any one quarter in respect of any one vehicle or animal shall not exceed the full amount of the tax leviable for that quarter in respect of such vehicle or animal.

5. Every person who becomes possessed of any vehicle or animal in respect of which he is liable for the first time to pay the tax aforesaid shall be bound, within 15 days of his becoming possessed of the same, to give notice thereof in writing to the Collector.

6. Every person who claims, under clause (a) or (b) of notification<sup>1</sup> No. 88, dated 20th December 1905, to be exempt from two-thirds or from the whole of the said tax in respect of any vehicle or animal kept by him during any quarter shall forward by post to the Collector, or leave at his office, not later than the last day of such quarter, a notice in writing under his signature or mark setting forth the facts on which such claim is based.

Power for Collector to inspect stables, etc., and summon persons to show information.

7. The Collector, or any person authorised by him in this behalf, may—

- (a) at any time between 7 A.M. and 5 P.M. enter and inspect any stable or coach houses, or in any place in which he may have reason to believe there is any vehicle or animal in respect whereof the aforesaid tax is leviable;
- (b) summon any person whom he has reason to believe to be liable to the said tax, or any servant of such person, and to examine such person or servant as to the liability of such person to the tax, and as to the number and description of the vehicles or animals, if any, in respect of which such person is so liable.

## COLLECTION.

Tax for what quarters and when  
leviable.

8. The said tax shall be payable for  
each of the following four quarters of every

year, viz. :—

- (1) 1st January to 31st March ;
- (2) 1st April to 30th June ;
- (3) 1st July to 30th September ;
- (4) 1st October to 31st December.

It shall ordinarily be payable in arrear on the first day of the quarter next following that for which it is due, but in the case of a person who ceases to be a resident of the Cantonment at any time during the currency of a quarter, it shall be payable one week before such person's departure from the Cantonment.

9. When any tax becomes due the Collector shall, with the least practicable delay, cause to be presented to

Bills to be presented.

the person liable to pay the same a bill for the sum due. The bill shall specify the quarter or portion of the quarter and the vehicles or animals in respect of which the tax is charged, and the name of the person from whom it is claimed, and shall contain a notice that the amount of the bill must be paid into the Collector's office within 15 days from the date of the presentation of the said bill.

10. Complaints against the assessment of any tax under these rules, or the amount thereof, may be made to the

Hearing of complaints

Collector by application in writing forwarded by post or left at his office, at any time within seven days from the date of the presentation of the bill for such tax ; and upon hearing such complaint the Collector may make such amendments, if any, in the book kept under the rule 2 and in the bill as he may think proper, and, if he thinks that the complainant is not liable to the tax, he shall cancel the bill.

11. If any bill, which is not cancelled under the last preceding rule, is not paid by the person from whom payment

Notice of demand.

is claimed, or on his behalf, within 15 days from the presentation thereof, the Collector may cause to be served upon the defaulter notice of demand in Form A. hereto annexed, or to the like effect, and if he does not within 15 days from the service of such notice of demand pay the sum due, or show sufficient cause for non-payment of the same, to the satisfaction of the Collector, and if no appeal has been preferred and the amount of the tax has not been deposited as hereinafter provided

such sum, with all costs, may be levied by order of the Collector under a warrant in Form B, hereto annexed, by distress and sale of the goods and chattels of the defaulter.

For every notice of demand under this rule which the Collector causes to be served upon any person, a fee, not exceeding one rupee, the amount of which shall be in each case fixed by the Collector, shall be paid by each person. Such fee shall be added to the amount of the tax in respect of which the notice is given, and, if not duly paid, shall be recovered as costs in same manner in which such tax may be recovered.

12. The goods and chattels of any person, from whom any tax is due may be distrained, wherever the same may  
 Goods of defaulter, wherever found, he found, for default in the payment of  
 may be distrained. the money due from such person.

13. The officer charged with the execution of a warrant of distress shall make an inventory of the goods and chattels seized under any such warrant, and shall at  
 Inventory and notice of distress. the same time give a notice in writing, in Form C, hereto annexed, to the person in possession thereof at the time of the seizure that the said goods and chattels will be sold as therein mentioned.

14. If the warrant is not in the meantime discharged or suspended by the Collector, the goods and chattels seized shall be sold under the orders of the Collector, who shall apply the proceeds, or such part thereof as may be necessary, in discharge of the tax and of the costs payable by the defaulter; and the surplus, if any, shall be returned on demand to the person in possession of the goods and chattels at the time of the seizure.

Fees shall be payable upon distraints under these rules at the rates set forth in Table D hereto annexed and shall be recoverable from the defaulter as costs in  
 Fees. addition to the amount of the tax.

15. Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of the sum due by a defaulter, the Collector may sue the defaulter in any Court of competent jurisdiction.  
 Collector may sue instead or on failure of distress.

#### APPEALS.

16. Appeals against the assessment or levy of the said tax shall be heard and determined by the Cantonment Committee, or by such other officer as the Resident may from time to time direct. But no  
 When and to whom appeals may be made. such appeals shall be heard unless:—

- (a) the amount of the tax has first been deposited with the Collector; and
- (b) a complaint has been previously made under rule 10 to the Collector and such complaint has been disposed of by the Collector; and
- (c) the appeal is brought within fifteen days from the date of the presentation of the bill for the tax complained of, or, if a complaint has been made under rule 10, within fifteen days from the date of the Collector's order disposing of such complaint.

If the appellate authority decreases or remits the amount of the tax, the Collector shall grant to the appellant a refund accordingly.

### FORM A (SEE RULE 11).

#### *Notice of Demand.*

To \_\_\_\_\_

of \_\_\_\_\_

Take notice that the Collector demands from you the sum of \_\_\_\_\_ due from you on account of the tax leviable under the *Residency Orders* Notification No. \_\_\_\_\_, dated the \_\_\_\_\_, for the quarter ending on the \_\_\_\_\_ 19\_\_\_\_, as per bill No. \_\_\_\_\_, dated \_\_\_\_\_ already presented to you; and that, if the sum due is not paid into the said Collector's office at \_\_\_\_\_, or if sufficient cause for the non-payment of the sum is not shown to the Collector within fifteen days from the service of this notice, a warrant of distress will be issued for the recovery of the same with costs.

(Signature of the Collector.)

Date \_\_\_\_\_

### FORM B (SEE RULE 11).

#### *Distress Warrant.*

To \_\_\_\_\_

(Here insert the name of the officer charged with the execution of the warrant)

Whereas \_\_\_\_\_ of \_\_\_\_\_ has not paid, or shown sufficient cause for the non-payment of, the sum of \_\_\_\_\_



rupees \_\_\_\_\_ due for the tax leviable under the *Residency Orders* notification No. \_\_\_\_\_, dated \_\_\_\_\_, for the quarter ending on the \_\_\_\_\_ 19 \_\_\_\_\_, although the said sum has been duly demanded in writing from the said \_\_\_\_\_ and fifteen days have elapsed since the service of the notice of demand: THIS is to command you to distrain the goods and chattels of the said \_\_\_\_\_ to the amount of the said sum of Rs. \_\_\_\_\_ and such further sum as may be sufficient to defray the charges of taking, keeping and selling such distress, and if, within five days next after such distress, the said sum is not paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distress, to sell the said goods and chattels, and, having paid and deducted out of the proceeds of the sale the said sum of \_\_\_\_\_ rupees and the charges of taking, keeping and selling such distress, to return the surplus, if any, on demand, to the person whom you shall find in possession of the said goods and chattels. If sufficient distress cannot be found of the goods and chattels of the said \_\_\_\_\_ you are to certify the same to me, together with this warrant.

(Signature of the Collector.)

Date \_\_\_\_\_

### FORM C (SEE RULE 13).

#### *Form of Inventory and Notice.*

(Here state particulars of goods seized.)

To \_\_\_\_\_

Take notice that I have this day seized the goods and chattels specified in the above inventory for the sum of rupees \_\_\_\_\_ due by \_\_\_\_\_ on account of the tax leviable under the *Residency Orders* notification No. \_\_\_\_\_, dated the \_\_\_\_\_, for the quarter ending on the \_\_\_\_\_ 19 \_\_\_\_\_; and that unless you pay into the office of the Collector the amount due, together with the costs of this distress, within five days from the date of this notice, the goods and chattels will be sold.

Date \_\_\_\_\_

(Signature of the officer executing  
the warrant of distress.)

## TABLE D (SEE RULE 14).

Table of fees payable in distraints under these rules.

Sum distrained for.		Fee.	
		Rs. a. p.	
Under 5 Rupees		0	4 0
Not less than Rs. 5 and under Rs. 10		0	8 0
Ditto	10 ditto 16	0	12 0
Ditto	16 ditto 20	1	0 0
Ditto	20 ditto 25	1	4 0
Ditto	25 ditto 30	1	8 0
Ditto	30 ditto 35	1	12 0
Ditto	35 ditto 40	2	0 0
Ditto	40 ditto 45	2	4 0
Ditto	45 ditto 50	2	8 0
Ditto	50 ditto 60	3	0 0
Ditto	60 ditto 80	3	12 0
Ditto	80 ditto 100	4	8 0
Above 100 Rupees		5	0 0

The above charge includes all expenses, except when peons are kept in charge of property distrained, in which case an additional fee of four annas must be paid daily for each man.

[Hyderabad Residency Orders, 1906, Pt. I, p. 2.]

No. 104 J., dated the 19th October 1910.—In exercise of the powers conferred by<sup>1</sup> section 17, sub-section (2) of the Cantonments Act, 1889 (XIII of 1889), as applied to the Cantonment of Secunderabad \* \* and with the previous sanction of the Governor-General in Council, the Honourable the Resident at Hyderabad is pleased to apply to the said Cantonment, the provisions of the enactments and rules specified in the first column of the Schedule hereto annexed for the assessment and recovery of the dog tax leviable in the cantonment of Secunderabad under *Residency Orders* notification<sup>2</sup> No. 103-J., dated the 19th October 1910.

## SCHEDULE.

Enactment or rules.	Adapted form
Punjab Act XX of 1891, section 50.	(1) The tax shall be paid yearly in advance.
Punjab Act XX of 1891, section 51.	(2) For all sums paid on account of the tax a receipt stating the amount and the tax on account of

<sup>1</sup> See now section 15, sub-section (2) of the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 563-I. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra*, p. 228.

*Enactment or rules.**Adapted form.*

Punjab Act XX of  
1891, section 64.

which it is paid shall be given signed by the person authorised by the Committee to grant such receipts.

(3) At any time within three months after any sum has become due on account of the tax, the Committee shall cause to be presented to the person liable to payment thereof a bill for the said sum, which shall contain a statement of the period and the tax on account of which the charge was made. If the amount in the bill be not paid on presentation thereof a notice of demand in the annexed form with a copy of the bill appended thereto shall be served on the person liable to pay the same and such notice of demand may be served at any subsequent time. Provided that no charge shall be made in respect of the service of such notice. Such notice shall be signed by the Secretary to the Committee or an officer authorised by the Committee in that behalf and shall be served by a person authorised to receive payment.

Madras Act III of  
1901, section 180.

(4) If any person after service upon him of such bill and notice shall not within fifteen days of the service of such notice or from the date of any order made on the application for review pay the sum due either to the Committee at their office or to some person authorised by them to receive the money, or show to the Committee sufficient cause for not paying the same, the amount shall be recovered by distress and sale of any moveable property belonging to the defaulter.

Madras Act III of  
1901, section 184.

(5) If the sum due be not paid with costs before the time fixed for the sale, the moveable property seized shall be sold by auction at a time and place to be specified in the most public manner possible and the proceeds shall be applied in discharge of the arrears and costs. The surplus sale-proceeds (if any) shall be paid on demand to the defaulter or any person authorised in that behalf. The Secretary shall make a return of all such sales to the Committee in the annexed form.

*Enactment or rules.*

Punjab Act XX of  
1891, section 193.

*Adapted form.*

(6) Every order, notice, or other document directed to be published under these rules shall be written in or translated into the vernacular and deposited in the office of the Committee. A copy shall be posted up in a conspicuous position at the said office and in such other public place as the Committee may direct and a public proclamation shall be made throughout the Cantonment by beat of drum notifying that such copy has been so posted up, and that the original is open to inspection at the office of the Committee.

Punjab Act XX of  
1891, section 201.

(7) Any arrear of dog tax may be recovered, on application to a Magistrate having jurisdiction in the Cantonment, by the distress and sale of any moveable property within the Cantonment belonging to the person by whom the tax is payable.

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### NOTICE OF DEMAND.

To

#### CANTONMENT OF

Take notice that sum of Rs. \_\_\_\_\_ being the amount due from you as shown in the accompanying bill, is hereby demanded from you, and that if you do not within fifteen days pay the sum to an officer authorised to receive payment or into the office of the Cantonment Committee, the amount together with the costs will be levied by distress and sale of your moveable property or otherwise as provided by law.

*Secretary to the Cantonment Committee.*

---

*Register of distrains of property and sales held an account of arrears for the year ending.*

1. Name of defaulter
2. Number on register and specification of the property on account of which the arrear is due
3. Amount of arrear due.
4. Amount of costs and penalty
5. Total amount to be realised.
6. Inventory of property seized under distress.
7. Date of distress.
8. Date of sale.

9. Detail of articles sold.
10. Amount realised on each article.
11. Purchaser's name.
12. Total amount realised.
13. Amount paid into the office of the Committee on account of the arrear due with date.
14. Amount paid into the office of the Committee on account of costs and penalties.
15. Surplus proceeds of sale remaining after deducting the amount of arrears and costs and penalties due.
16. How the surplus was disposed of with date of such disposal.
17. Balance of arrear still remaining unrealised if any.
18. On what date such remaining balance was realised or written off by authority.
19. Remarks (explaining why the property seized was realised without sale, if not, eventually sold, etc.).

*Secretary to the Cantonment Committee.*

[*Hyderabad Residency Orders 1910, Pt. I. p. 223.*]

*No. 92-J., dated the 15th December 1911.*—In exercise of the powers conferred by Section 15 (2) of the Cantonments Act, 1910 (XV of 1910), and applied to the Cantonment of Aurangabad \* \* \*

and with the previous sanction of the Governor-General in Council, the Honourable the Resident at Hyderabad is pleased to apply to the Cantonment of Aurangabad the provisions of sections 49 to 54, 56 to 62, 64, 113 (1) (j), 146 and 201 of the Punjab Municipal Act, 1891 (XX of 1891), and of sections 100 and 111 of the Bengal Municipal Act, 1884 (Act 3 of 1884), regarding the assessment and recovery of taxes in the adapted form set forth in the schedule hereto annexed.

\* \* \* \* \*

### SCHEDULE.

- I. No assessment and no charge or demand of any tax shall be impeached or affected by reason of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or in the description of any property or thing liable to the tax, or of any mistake in the amount of the

assessment or tax, or by reason of any clerical error or other defect of form, and it shall be enough in any tax on property or any assessment of rental for the purpose of any such tax if the property taxed or assessed is so described as to be generally known, and it shall not be necessary to name the owner or occupier thereof.

II. Taxes shall be payable on such dates and in such instalments (if any) as the Cantonment authority may from time to time direct.

*Ibid*, section 50.

III. For all sums paid on account of any tax a receipt stating the amount, and the tax on account of which it has been paid, shall be given by the person receiving the same, on request by the person making the payment.

*Ibid*, section 51.

IV. (1) An appeal against the assessment or levy of any tax shall lie to the First Assistant Resident at Hyderabad or to such other officer as may be empowered by the Resident in this behalf.

*Ibid*, section 52.

(2) If on the hearing of an appeal under this rule any question as to the liability to, or the principle of, assessment of a tax arises on which the officer hearing the appeal entertains reasonable doubts, he may either of his own motion or on the application of any person interested, draw up a statement of the facts of the case and the point on which the doubt is entertained, and refer the statement with his own opinion on the point for the decision of the Resident at Hyderabad. /

(3) On a reference being made under this rule the subsequent proceedings in the case shall be as nearly as may be in conformity with the rules relating to references to the High Court contained in Order XLVI of the Code of Civil Procedure.

(4) In every appeal the costs shall be in the discretion of the officer deciding the appeal

(5) Costs awarded under this rule to the Cantonment authority shall be recoverable by the Cantonment authority as though they were arrears of a tax due from the appellant.

(6) If the Cantonment authority fails to pay any costs awarded to an appellant within ten days after the date of the order for payment thereof the officer awarding the cost may order the person having the custody of the balance of the Cantonment Fund to pay the amount.

V. (1) No appeal shall lie in respect of a tax on any buildings or lands preferred within one month after the publication of the notice prescribed by rule X (2)

*Ibid*, Section 53.

or rule XII or after the date of any final order under rule XI as the case may

be, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for tax is made:—

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this rule if the appellant satisfies the officer before whom the appeal is deferred that he had sufficient cause for not presenting the appeal within that period.

(2) No appeal shall be entertained unless the appellant has paid all taxes due from him to the Cantonment authority up to the date of such appeal.

VI. No objection shall be taken to any assessment, nor shall the liability of any person to be assessed or taxed be questioned in any other manner or by any other authority than is provided in these rules.

*Ibid*, Section 54.

VII. (1) The Cantonment authority shall cause an assessment list of the buildings or lands on which any tax is imposed to be prepared containing:

*Ibid*, Section 56.

- (a) the name of the street or division, if any, in which the property is situated,
- (b) the designation of the property either by name or by number sufficient for identification,
- (c) the name of the owner or occupier, if known,
- (d) the monthly rental on which the property is assessed, and
- (e) the amount of the tax assessed thereon.

(2) For the purpose of preparing the list the Cantonment authority may require the owners or occupiers of the buildings or lands to furnish it with a return of the monthly rentals.

VIII. When the assessment list has been completed the Cantonment

*Ibid*, Section 57.

authority shall give public notice thereof and of the place where the list or a copy thereof may be inspected, and every person claiming to be either owner or occupier of the property included in the list and any agent of such person shall be at liberty to inspect the list and to make extracts therefrom without charge.

IX. (1) The Cantonment authority shall at the time of the publication of such assessment list give public notice of a time, not less than one month thereafter,

*Ibid*, Section 58.

when it will proceed to revise the assessment, and in all cases in which any property is for the first time assessed, or the assessment thereof is increased, it shall also give notice thereof to the owner or occupier of the property.

(2) All objections to the assessment shall be made in writing before the time fixed in the notice or orally or in writing at that time.

X. (1) After the objections have been enquired into, and the persons making them have been allowed an opportunity of being heard either in person or by

*Ibid*, Section 59.

authorised agent as they may think fit, and the revision of the assessment has been completed, the amendments made in the list shall be authenticated by the signature of the Cantonment Magistrate, who shall at the same time certify that no valid objection has been made to the assessment contained in the list except in the cases in which amendments have been entered therein, and subject to such amendments as may thereafter be duly made, the tax so assessed shall be deemed to be the tax for the year commencing on the 1st day of April next ensuing, or from the beginning of the quarter next following that in which any alteration shall have been made under this rule or rule XI.

2. The list when amended under this rule shall be deposited in the Cantonment Office and shall there be open during office hours to all owners or occupiers of buildings or lands comprised therein, or the agents of such persons, and a public notice that it is so open shall forthwith be published.

XI. (1) The Cantonment authority may at any time amend the list by

*Ibid*, Section 60.

inserting the name of any person whose name ought to have been inserted, or by inserting any property which ought to have been inserted, or by altering the assessment on any property which has been erroneously assessed through fraud, accident or mistake, after giving due notice to any person interested in the amendment, of a time, not less than one month from the date of service of such notice, at which the amendment is to be made.

(2) Any person interested in any such amendment may tender his objection to the Cantonment authority in writing before the time fixed in the notice or orally or in writing at that time, and shall be allowed an opportunity of being heard in support of the same in person or by authorised agent as he may think fit.

XII. It shall be in the discretion of the Cantonment authority to prepare

*Ibid*, Section 61.

a new assessment list every year, or to adopt the assessment contained in the list for any year with such alterations as may in particular cases be deemed necessary as the assessment of the year following, giving the same notice of the assessment as if a new list had been prepared.

XIII. (1) When any sum is due on account of a tax payable in respect

*Ibid*, Section 64.

of any buildings or lands by the owner thereof the Cantonment authority shall cause



a bill for the amount stating the property and the period for which the charge is made to be delivered to the person liable to pay the same.

(2) If the bill is not paid within ten days from the delivery thereof the Cantonment authority may cause a notice of demand to be served on that person, and if he does not within seven days from the service of the notice pay the sum due, with any fee leviable for the notice, or show sufficient cause for non-payment, the sum due, with the fee, shall be deemed to be an arrear of tax.

(3) The amount of every such arrear, besides being recoverable in the manner hereinafter provided by rule XV, shall, subject to any claim on behalf of His Majesty, be a first charge on the building in respect of which it is payable, and on application made in this behalf to the District Magistrate shall be recoverable by the distress and sale of such property.

*Ibid*, Section 143 (1) (f).

XIV. (1) The Cantonment authority may by bye-law regulate the fees payable in

respect of notices of demand.

(2) No bye-law under this rule shall come into force until it has been confirmed by the Resident and published for such time and in such manner as the

*Ibid*, Section 146.

Resident may prescribe in this behalf.

(3) The Resident may cancel his confirmation of any such bye-law and thereupon the bye-law shall cease to have effect.

XV Any arrears of any tax recoverable by the Cantonment authority

*Ibid*, Section 201.

under these rules may be recovered, on application to a Magistrate having jurisdiction within the limits of the Cantonment, or in any other place where the person from whom the money is claimable may for the time being be resident, by the distress and sale of any moveable property within the limits of his jurisdiction belonging to such person

XVI. (1) When any building has remained unoccupied and unproductive

*Ibid*, Section 62.

of rent for any period of not less than 60 consecutive days such building shall be exempt from payment of so much of the said taxes or instalments as is proportionate to the number of days during which such building has not been occupied or productive of rent :

Provided that the owner of such property has given to the Committee notice in writing of the vacancy of the said building within the first 14 days of the period, in respect of which exemption is claimed, and that the application for refund is made within six months from the date on which such notice is delivered at the office of the Committee.

(2) The burden of proving the facts entitling any person to claim relief under this notification shall lie upon that person.

(3) Neither the presence of a care-taker, nor the mere retention in an otherwise unoccupied dwelling house of the furniture habitually used in it, shall constitute occupation of the house.

(4) A building shall be deemed to be productive of rent if let to a tenant who has a continuing right to occupy such building, whether it is actually occupied by such tenant or not.

(5) In the case of the water tax, where application by the owner for the private connection to be cut off has not been made, the house will be considered as occupied, and the tax recoverable from owner.

XVII. (a) Whoever refuses or fails to furnish any return called for under Rule VII (2) of these rules for the space of one week from the day on which he shall have been required to do so, shall be liable to a fine not exceeding five rupees; and whoever knowingly makes a false or incorrect return shall be liable to a fine not exceeding twenty rupees, and to a further daily fine not exceeding five rupees for each day during which he shall omit to furnish a true and correct return; and whoever hinders, obstructs or prevents any member of the Committee, or any person authorised by the Committee under Rule VII of these rules, from entering or inspecting or measuring any such property shall be liable to a fine not exceeding two hundred rupees

(b) Whoever being the owner of any property for which a remission or refund of the tax has been made under Rule XVI of these rules fails to give notice of the re-occupation of such property within ten days of such re-occupation shall be liable to a fine not exceeding three times the amount of the tax payable quarterly on such property.

[*Hyderabad Residency Orders*, 1912, Pt. I, p. 2.]

No. 14, dated the 15th February 1907.—In exercise of the powers conferred by section 17, sub-section (2), of the Cantonments Act, 1889 (XIII of 1889), as applied to the Cantonment of Aurangabad, and with the previous sanction of the Governor-General in Council, the Resident at Hyderabad is pleased to apply to the said Cantonment the provisions of the enactments and rules specified in the first column of the schedule hereto annexed for the assessment and recovery of the dog tax leviable in the Cantonment of Aurangabad under notification No. 13, dated 15th February 1907.

Rules for the assessment and recovery of the dog tax in Aurangabad.

<sup>1</sup> See now Section 15, sub-section (2) of the Cantonment Acts, 1910 (XV of 1910), as applied by notification No. 582-I. B, dated the 22nd March 1913. Printed Vol. 1, p. 227.

<sup>2</sup> Printed *supra*, p. 230.

*Schedule.*

Enactment or rule.  
Punjab Act XX of  
1891, section 50.  
Section 51.

Adapted form.

(1) The tax shall be paid yearly in advance.

(2) For all sums paid on account of the tax a receipt, stating the amount and the tax on account of which it is paid, shall be given signed by the person authorised by the Committee to grant such receipts.

Section 64.

(3) At any time within three months after any sum has become due on account of the tax, the Committee shall cause to be presented to the person liable to payment thereof a bill for the said sum which shall contain a statement of the period and the tax on account of which the charge was made. If the amount in the bill be not paid on presentation thereof a notice of demand in the annexed form with a copy of the bill appended thereto shall be served on the person liable to pay the same, and such notice of demand may be served at any subsequent time: Provided that no charge shall be made in respect of the service of such notice. Such notice shall be signed by the Secretary to the Committee or an officer authorised by the Committee in that behalf and shall be served by a person authorised to receive payment.

<sup>1</sup>[Bengal Act III of  
1884, section 121.]

<sup>1</sup>[(4)] If any person after service upon him of such bill and notice shall not, within fifteen days of the service of such notice pay the sum due either to the Committee at their office or to some person authorised by them to receive the money, or show to the Committee sufficient cause for not paying the same, the amount of the arrears due, with costs on the scale shown in the appended table of fees, may at any time, within three months after the date of service of the said notice, be levied by distress and sale of any moveable property belonging to the defaulter, except ploughs, plough-cattle, tools or implements of agriculture or trade.]

<sup>1</sup> See notification No. 75, dated the 23rd July 1888, *Hyderabad Executive Orders*, 12<sup>th</sup> Pt. I, p. 87.

Enactment or rule.

Adapted form.

Madras Act III of  
1904, section 184.

(5) If the sum due be not paid with costs before the time fixed for the sale, the moveable property seized shall be sold by auction at a time and place to be specified in the most public manner possible and the proceeds shall be applied in discharge of the arrears and costs. The surplus sale-proceeds (if any) shall be paid on demand to the defaulter or any person authorised in that behalf. The Secretary shall make a return of all such sales to the Committee in the annexed form.

Punjab Act XX of  
1904, section 193

(6) Every order, notice, or other document directed to be published under these rules shall be written in or translated into the vernacular and deposited in the office of the Committee. A copy shall be posted up in a conspicuous position at the said office and in such other public place as the Committee may direct, and a public proclamation shall be made throughout the Cantonment by beat of drum notifying that such copy has been so posted up, and that the original is open to inspection at the office of the Committee.

Section 201.

(7) Any arrear of dog tax may be recovered, on application to a Magistrate having jurisdiction in the Cantonment, by the distress and sale of any moveable property within the Cantonment belonging to the person by whom the tax is payable.

## NOTICE OF DEMAND.

To

### CANTONMENT OF

Take notice that the sum of Rs. \_\_\_\_\_, being the amount due from you as shown in the accompanying bill, is hereby demanded from you, and that if you do not within fifteen days pay the sum to an officer authorised to receive payment or into the office of the Cantonment Committee, the amount together with the costs, will be levied by distress and sale of your moveable property or otherwise as provided by law.

*Secretary to the Cantonment Committee.*

<sup>1</sup>[Table of fees payable upon distrains under Rule 4.]

Sums distrained for :		Fees R a.
Under 1 Rupee	.	0 4
1 and under 5 Rupees	.	0 8
5 " 10 "	.	1 0
10 " 15 "	.	1 8
15 " 20 "	.	2 0
20 " 25 "	.	2 8
25 " 30 "	.	3 0
30 " 35 "	.	3 8
35 " 40 "	.	4 0
40 " 45 "	.	4 8
45 " 50 "	.	5 0
50 " 60 "	.	6 0
60 " 80 "	.	7 8
80 " 100 "	.	9 0
above 100 "	.	10 0

The above charge includes all expenses, including the service of notice of demand, except when peons are kept in charge of property distrained, in which case three annas must be paid daily for each man. If the amount demanded be paid on the warrant and discharged before the sale is held, so that no sale is necessary, one-fourth of the fees specified in the above table shall be remitted.]

*Register of distrains of property and sales held on account of arrears for the year ending :—*

1. Name of defaulter.
2. Number on register and specification of the property on account of which the arrear is due.
3. Amount of arrear due.
4. Amount of costs and penalty.
5. Total amount to be realised.
6. Inventory of property seized under distress
7. Date of distress.
8. Date of sale.
9. Detail of articles sold.
10. Amount realised on each article.
11. Purchaser's name.
12. Total amount realised.

<sup>1</sup> See notification No. 75, dated the 23rd February 1908. *Hyderabad Residency Orders*, 1908, Pt. I, p 87

13. Amount paid into the office of the Committee on account of the arrear due with date.

14. Amount paid into the office of the Committee on account of costs and penalties.

15. Surplus proceeds of sale remaining after deducting the amount of arrears and costs and penalties due.

16. How the surplus was disposed of with date of such disposal.

17. Balance of arrear still remaining unrealised, if any.

18. On what date such remaining balance was realised or written off by authority.

19. Remarks (explaining why the property seized was released without sale, if not eventually sold, etc.)

*Secretary to the Cantonment Committee.*

[*Hyderabad Residency Orders, 1907, Pt. I, p. 18.*]

No. 4371-1B., dated the 1st December 1897.—In exercise of the powers conferred by section 20 of the Cantonments Act, 1889 (XIII of 1889), as applied to the Cantonment of Secunderabad \*\* the Governor-General in Council is pleased to declare that buildings in the said Cantonment shall be exempt from payment of the tax imposed on houses, buildings and lands by the *Hyderabad Residency Orders*,<sup>1</sup> notification No. 40, dated the 13th November 1894, in the cases and to the extent hereinafter stated, namely:—

Exemptions from the tax on houses, buildings and lands in Secunderabad.

1. When any building, in any lines or quarters, has been occupied by a native soldier or follower, regimental or departmental, such building shall be exempt from payment of the said tax for the period of such occupation.

2. (a) When any building has remained unoccupied and unproductive of rent throughout the year, or the period in respect of which any instalment is payable, such building shall be exempt from payment of the said tax or instalment for the said year or period, as the case may be.

<sup>1</sup> See now section 18, sub-section (1) of the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 682-I B., dated the 22nd March 1913. Printed Vol. I, p. 227.

<sup>2</sup> Printed *supra*, p. 226.

(b) When any building has remained unoccupied and unproductive of rent for any period of not less than sixty consecutive days, such building shall be exempt from payment of so much of the said tax or instalment as is proportionate to the number of days during which such building has not been occupied or productive of rent :

Provided that no such exemption shall be made unless notice in writing of the circumstances under which it is claimed has been given to the Cantonment authority within the first fourteen days of the period in respect of which it is so claimed.

3. The burden of proving the facts entitling any person to claim relief under this notification shall lie upon him.

4. Neither the presence of a care-taker nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it shall constitute occupation of the house.

5. A building shall be deemed to be productive of rent if let to a tenant who has a continuing right of occupation thereof, whether it is actually occupied by such tenant or not.

[*Gazette of India*, 1897, Pt. I, p. 1078.]

<sup>1</sup>No. 3776-I. B., dated the 14th August 1903.—Not reprinted.

[*Gazette of India*, 1903, Pt. I, p. 686]

No. 4532-I.A., dated the 10th October 1902.—In exercise of the powers conferred by section 20, sub-section (1) of the Cantonments Act, 1880 (XIII of 1880)<sup>2</sup> as applied to the Cantonment of Secunderabad \*\* the Governor-General in Council is pleased to exempt all warrant officers, non-commissioned officers and soldiers of the regular forces from the operation of any tax which may be for the time being imposed on cycles in the said Cantonments.

[*Gazette of India*, 1902, Pt. I, p. 738.]

No. 2261-I. B., dated the 20th October 1911—In exercise of the by section 30 of the Cantonments Act, 1910 (XV of 1910), the Cantonment of Secunderabad, and in supersession of the notifications of the Government of India in the Foreign Department, Nos. 1453-I. B. and 2559-I. B., dated, respectively, the 15th April and 15th

<sup>1</sup> The Secunderabad Cantonment Code, 1913, as subsequently amended, is under revision on the lines of the Cantonment Code, 1912, published with the notification of the Government of India in the Army Department, No. 197, dated the 1st March 1912. *Gazette of India*, 1912, Pt. I, p. 187.

<sup>2</sup> See now the Cantonments Act, 1910 (XV of 1910), as applied by notification No. 562 I. B., dated the 22nd March 1913. Printed Vol. I, p. 227.

1904, the Governor-General in Council is pleased to exclude from the operation of the whole Act, as so applied, the undermentioned parts of the Cantonment of Secunderabad, namely :—

Serial No.	Situation of the ground.	Extent of the ground.	Nature of soil.	How laid out and whether there are any buildings upon it.	Bounded on the			
					North by	South by	East by	West by
1	2	3	4	5	6	7	8	9
	Miles 113 to 114 on the Railway line. Miles 114 to 115 on the Railway line. Miles 115 to 115.75 on the Railway line. Total	A. E. P. 9-6-1878 67-2-3473 5-3-3145 53-3-544						
1	South of Railway Station yard and west of Railway blocks	Sq. yards 11,423.30	Mooram	A few huts.	Railway wall.	Grave yard and road	Railway fence	Road.
2	South of Railway line to Laliguda.	4,319.92	Do.	Waste and Parade ground.	.	Waste	.	.
3	West of Bhoyiguda Village.	1,700.00	Do.	Waste ground.	Railway fence	Bhoyiguda Village.	Waste land near side of road from Secunderabad to Hyderabad.	Railway bhunting neck.
4	Back of Railway Station.	17,528.00	Mooram with small boulders	Do.	Railway Station.	Road to Hussabettu	Open ground near Chilkalgudam.	Open ground near Bhoygal.
5	North west of Chilkalgudam.	5,511.00	Do.	Do.	Do.	Waste ground	Chilkalgudam Infantry lines	Waste ground.
6	Old Lancer Barracks Blocks 1, 2, 3 and 4 and all buildings surrounding, including latrine beyond road.	A. E. P. 14-2-1134	Mooram	Old Lancer Barracks blocks 1, 2, 3 and 4 and all surrounding buildings and latrine	Waste ground and Major Hawke's Compound	Rifle butte and waste ground	Chilkalgudam Infantry lines, road from Jalla-guda to T. m. algherry.	Ditto.
7	Old Lancer Barracks between old and new Railway Offices	Sq. yards 42,956.00	Do.	Waste	Waste ground behind Major Hawke's Compound	Post Office and road.	Railway new Offices.	Railway old Offices.
8	South of St. John's Church, Secunderabad.	20,557	Do.	As a compound with building on it.	Road passing south of St. John's Church	A road	Open ground	Road.
9	North-west of General Post Office	19,337	Do.	Do.	Compound with private buildings	Open ground.	Do.	Do.



Serial No.	Situation of the ground.	Extent of the ground.	Nature of soil.	How laid out and whether there are any buildings upon it.	BOUNDARY OF THE			
					North by	South by	East by	West by
1	2	3	4	5	6	7	8	9
11	North of Railway line to Lallaguda.	2,733 13	Do.	Waste	Waste ground.	Railway fence.	Waste ground.	Do.
12	South of Railway line to Lallaguda.	6,681 32	Do.	Waste ground.	Railway fence.	Waste ground.	Demarcation line of Cantonment limits near Lallaguda.	Pathway to first bridge beyond cemetery to Lallaguda.
13	North of Railway line to Lallaguda.	1,836 78	Do.	Waste	Waste ground.	Railway fence.	Waste ground.	Road.
14	South of Railway Station.	17,515	Mooram with boulders	Do.	Railway compound wall and land recently acquired from the Cantonment authorities.	Waste ground.	Waste ground.	Road from Hughes Town to Railway station
15	East of Highways Market	275 03	Mooram	Do.	Bridge No. 737.	Waste land	Public road	Railway line.
1								General.

[Gazette of India, 1911, Pt. I, p. 840]

No. 3802-I. B., dated the 14th October 1904.—In exercise of the powers conferred by—

Indian Lunacy Act, 1912.

- (1) section 17-A of the Indian Lunatic Asylums Act, 1858 (XXXVI of 1858), as applied to the areas mentioned on the margin, and

Admission of lunatics to asylums in British India.

The Hyderabad Residency Bazaars, the Cantonment of Secunderabad (inclusive of the area formerly known as the "Contingent Station" of Bolaram), the Cantonment (formerly known as the "Contingent station") of Aurangabad, and the railway lands in the territories of His Highness the Nizam of Hyderabad.

(2) clause 4 (c) of the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased—

(a) to appoint the Lunatic Asylums at Poona and Naupada, in the Bombay Presidency, to be asylums to which any Magistrate or Judge exercising jurisdiction within the said areas may send lunatics, and

(b) to authorise the Superintendent of either of the said asylums to receive and detain therein any lunatic so sent thereto

[Gazette of India, 1904, Pt. 1, p. 760]

No. 809-I. A., dated the 11th April 1913.—In exercise of the powers conferred by the Indian Lunacy Act, 1912 (IV of 1912), as applied to the Administered Areas in the Hyderabad State, the Governor-General in Council is pleased to direct that any Magistrate or court exercising jurisdiction in the said areas may send lunatics to the asylum at Madras.

[Gazette of India, 1913, Pt. 1, p. 390]

No. 102—dated 1st December 1912

The Wild Birds and Animals Protection Act, 1912

No. 48.

Page 267.—After notification No. 102, dated the 23rd November 1912, insert the following:—

No. 1667-I. B., dated the 28th August 1914.

No. 1668-I. B., dated the 28th August 1914.

No. 87, dated the 2nd November 1914.

Printed in Appendix XX.

Foreigners Ordinance, 1914.  
Delegation of powers to civil and military authorities.  
Entry and departure of foreigners.

Information regarding foreigners in Hyderabad administered areas to be furnished by householders in whose houses they may be residing.

(10) Painted spur dove

(11) Red spur fowl From 1st March to 30th June

(12) Hare. From 1st June to 30th September

[Hyderabad Residency Orders, 1912, Pt. I, p. 172]

1 See now section 63 of the Indian Lunacy Act, 1912 (IV of 1912), as applied to the areas No. 3802-I. B., dated the 22d March 1914, printed Vol. I, p. 277, and also a No. of the Act as before in Part I of the

2 The notification issued under the Wild Birds Protection Act, 1907, as applied to the Administered Areas and has now been superseded, except the portions here printed by Act VIII of 1914, as applied to the same areas by notification No. 48-I. B., dated the 22d March 1914. Printed Vol. I, p. 277

## Orders under Local Laws.

Hyderabad  
Residency Bazars  
Regulations, 1895.  
Second Assistant  
Resident appointed  
Superintendent,  
Residency Bazars.

*No. 59-J., dated the 15th June 1912.*—With reference to section 2, clause (ix) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, as amended by the notification of the Government of India in the Foreign Department, No. 989-I.B., dated the 2nd May 1912, the Resident is pleased to appoint the Second Assistant Resident, for the time being, to hold charge of the said Residency Bazars.

[*Hyderabad Residency Orders, 1912, Pt. I, p. 48.*]

Imposition of a  
dog tax in the  
Residency Bazars.

*No. 57-J., dated the 1st June 1910.*—In exercise of the power conferred on him by clause (c) of sub-section (1) of section 22 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>1</sup>, published under the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September 1895, the Resident is pleased to impose a tax of Halli Sicea rupee one per annum on every dog kept within the said Residency Bazars.

2. The tax shall come into force after the expiration of one month from the date of this notification.

[*Hyderabad Residency Orders, 1910, Pt. I, p. 70.*]

Conservancy tax.

*Dated the 15th January 1886.*—The owner of every house, whether used for public or private purposes, in respect to which the services of the Local Fund Conservancy Establishment may be required, shall be taxed to the conservancy tax at nine per cent. per annum on the annual rental calculated at one-tenth of the estimated value of the building.

[*Hyderabad Residency Orders, 1886, Supplement, page 7.*]

\* Latrine tax.

*No. 11A, dated the 3rd May 1891.*—Printed *infra*, page 271.

*Dated the 18th September 1888.*

Water tax.

*Rules for levying water-tax in the Residency Bazars, Hyderabad.*

(1) Every occupied house, shop, or godown yielding, or which if rented would yield, a yearly rent of Rs. 12 and above shall pay 1 rupee and 8 annas per annum on every 25 rupees or portion of 25 rupees rent, provided that the maximum amount of assessment on any one house, shop, or godown shall not exceed Rs. 15.

<sup>1</sup> Printed Vol. I, p. 275.

<sup>2</sup> This order was made under the Hyderabad Residency Bazars Local Fund Rules, 1894, and is kept in force by section 1, clause (iv) of the Hyderabad Residency Bazars Regulations, 1895. Printed Vol. I, p. 278.

all be payable by owners or managers of houses, shops, and bills will be served by the Municipality in the month of

all be payable in advance in the month of May of each year. If not paid within the abovementioned time, a fee of four annas will be charged for defraying the expenses for making out and serving the bill for the cess.

Any reduction of the cess shall apply to the Municipality from the receipt of the bill, after which period no application

The Committee will supply water to owners or occupiers of houses on the following terms:—

On the written application of any person, the Committee may at its discretion allow him to take water into his premises by a half-inch, three-quarter-inch, and one-inch pipe at a rate of Rs. 2, 3, and 4 per annum plus the usual water-rate.

(B) The pipes shall be laid by the Municipality, and the cost shall be paid by the applicant in advance.

(C) The private service rate shall be paid in advance in the month of April of each year. If the sum be not paid within a fortnight after the service of the notice, a fee of four annas will be charged for defraying the expenses of making out and serving a notice and recovering the sum.

(C) Persons subject to private water-rate service should, before changing residence, give notice in writing to the Municipality of the number of the house they have removed to.

(7) Every owner of a vacant house to which a connection for the supply of Municipal water has been made on the application of the owner or of some former owner or occupier will be liable to private water service rate in respect of such vacant house unless and until such owner shall have applied to the Municipality in writing to disconnect and cut off such supply.

(8) It shall be the duty of the person paying for the water to report immediately to the Secretary any accident to the private water service pipe.

The Secretary will get the pipe repaired, and the cost of such repairs shall be recovered from the private water service payer.

Page 270.—1. In rule I, clause (1) (d) of notification No. 43-J., dated the 26th May 1913 (see *Addendum No. 12*), for the word “monthly” substitute the word “annual.”

2. In rule 7 of notification No. 45-J., dated the 26th May 1913 (see *Addendum No. 12*), for the words “It shall ordinarily be payable in arrear on the first day of the quarter next following that for which it is due, but in the case of a person who ceases to be a resident of the Bazars at any time during the currency of a quarter, it shall be payable one week before such person’s departure from the Bazars” substitute the following, namely :—

“It shall be payable in advance on the first day of the quarter for which it is due.”

(Notification No. 30-J., dated the 30th March 1914.)

[*Hyderabad Residency Orders, 1914, Pt. I, p. 20.*]

required for distilleries, it can be taken on payment of three times as much as the rate charged for private water connection; any one infringing this rule shall be liable to a fine of Rs. 50.

These rules shall be held to be in force till the debt of the Local Fund Committee is liquidated and shall then be liable to reconsideration with the view of reducing the rate to what is necessary to cover the expenses of establishment and repairs.

[*Hyderabad Residency Orders, 1888, Pt. II, p. 224.*]

Rules for the assessment and recovery of the dog-tax in the Residency Bazars.

No. 65-J., dated the 29th June 1910.—In exercise of the powers conferred upon him by section 101 (f), (c) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules for the assessment and recovery of the dog-tax leviable under *Residency Orders*, notification<sup>2</sup> 57-J., dated the 1st June 1910 :—

#### Rules.

1. The dog-tax shall be payable by the persons liable for the same, either in person or by agent, yearly in advance at the Local Fund Office on the 1st of April of each year following that in which the tax is first leviable.

2. The tax shall be recoverable in the manner prescribed for the recovery of taxes from time to time in force in the Residency Bazars.

<sup>1</sup> Printed Vol. I, p. 278.

<sup>2</sup> Printed *supra*, p. 263.

3. For allsums paid on account of the tax a receipt shall be given by the Chairman, Local Fund Committee, or other officer appointed in this behalf.

4. A register shall be maintained in Local Fund Office containing particulars of the owner's name and address and serial numbers of the metal tallies described in rule 5.

5. At the time of the first payment of the tax owners will receive, free of charge, a metal tally bearing a number, which they are advised, in the interest of the animal, which will otherwise be treated as ownerless, to attach to the collar of the dog registered.

6. In the case of the metal tally becoming lost or defaced a fresh one will be issued on payment of the actual cost.

7. If the dog for which tax is leviable dies or is otherwise disposed of, the owner shall give notice in writing and return the tally. An entry will be made in the register accordingly, but no tax already paid will be refunded.

8. Any person owning or having charge of a dog for which the charge is payable and who has not paid the said tax and obtained a license in the manner prescribed shall be punishable with fine not exceeding fifty rupees.

[*Hyderabad Residency Orders*, 1910, Pt. I, p. 78]

No. 11-A, dated the 3rd May 1894—The following rules framed by the Residency Bazars Local Fund Committee under clauses (b) and (a) of section 12 of the Local Fund Rules were on the 3rd May 1894 confirmed by the Resident under section 13.—

Rules for the assessment and recovery of the latrine tax in the Residency Bazars.

1. A "private latrine" in these Rules means a place in private premises which is habitually used for the purpose of obeying the calls of nature.

*Exception.*—The definition does not include places for necessary purposes in European bungalows.

2. The word latrine used hereinafter in these Rules means and includes more than one latrine.

3. Every owner of an existing private latrine shall provide himself with a latrine license as hereinafter provided for.

4. No person shall construct or use a new private latrine without providing himself with a private latrine license

5. The Committee shall prescribe a standard plan for private latrines, and no new private latrine shall be licensed unless it is constructed in accordance with this plan. The Committee may license any existing private latrine which appears to them of suitable designation though not built on the standard plan.

6. The latrine license shall be in a form prescribed by the Committee, and no fee or duty shall be charged for the same. The Committee may by notice direct any private latrine to be closed forthwith for which a license has not been taken out within 30 days from the final promulgation of these Rules or for which the Committee have refused to grant a license.

7. It is open to the occupier of any premises either to make his own arrangements for the removal of the night-soil and sewage from his private latrine, provided that such arrangements are approved by the Committee, or to avail himself of the services of the scavenging agency maintained by the Committee.

8. The occupier of any premises who elects to make his own arrangements must collect and deposit at any depôts specified and provided by the Committee the night-soil and sewage from his private latrine at least once a day.

9. The Local Fund Committee shall provide a number of depôts in convenient centres for the temporary deposit of night-soil and sewage from private latrines before their removal by the conservancy establishment to the night-soil pits situate out of the Residency Bazzars.

10. If the occupier of any premises containing a licensed private latrine, for the removal of night-soil and sewage from which the agency provided by the Committee has not been availed of, neglects or fails to keep it clean, or if the private scavengers, if any, employed fail to properly deposit the night-soil and sewage at the depôts provided by the Committee, the Committee may issue a notice requiring him, within seven days from the date of the notice, either to close the said latrine or to accept and pay for the services of the scavenging agency provided by the Committee for the purpose.

11. Every occupier of premises containing a private latrine served by the scavenging agency maintained by the Committee shall pay quarterly, *i.e.*, on the 1st day of January, April, July, and October, and in advance, the scavenging fee which is fixed as follows:—

		Per annum.
		Rs. A. P.
On premises taxed for the conservancy tax		
on a monthly rental exceeding Rs. 50 . . . . .		36 0 0
Do. " 25 up to Rs. 50 . . . . .		24 0 0
Do. " 12 up to Rs. 25 . . . . .		18 0 0
Do. " 6 up to Rs. 12 . . . . .		5 0 0
Do. " 1 up to Rs. 6 . . . . .		3 0 0
Below Rs. 1 . . . . .		0 8 0

12. Europeans or persons who live in European fashion are allowed the same option of employing private sweepers or of accepting the Committee's agency.

13. The Committee may, at its discretion, compound with the owner or occupier of any premises used as a factory, workshop, cooly depôt, hospital, market, and other similar places where latrines are of a quasi-public nature for a certain sum to be paid in lieu of the scavenging fee, or may levy a rate per head to be fixed by the Committee on the probable number of persons living within or habitually resorting to any such place.

14. The Committee shall keep a register of premises served by its scavenging establishment for the purposes of the scavenging fee.

15. When the Committee has undertaken the scavenging and cleansing of any private latrine by its agents, the persons employed by it to perform the same may enter the premises at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Committee, by any person authorized by it on its behalf, may enter on the premises at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

16. It shall also be lawful to the Committee or any of its agents to enter upon any premises, after reasonable notice to the occupier of the same, to inspect any private latrine not served by the Committee's agency and see that the same is kept in proper order.

17. Whoever, without the permission of the Committee or in disregard of its orders, throws or deposits, or permits his servants or members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind, upon any street or public place, or into any public sewer or drain or any drain communicating therewith, shall be punished with fine which may extend to twenty rupees.

18. Whoever, without the permission of the Committee, causes or allows the water of any sink, sewer or cesspool, or any other offensive matter, to flow, drain, or be put upon any street or public place, or into any sewer or drain not set apart for the purpose, shall be punished with fine which may extend to twenty rupees.

19. Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive matter in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state or neglects to employ proper means to cleanse and purify the same, shall be punished with fine which may extend to fifty rupees.



20. Whoever disobeys any lawful directions given by the Committee by public notice under the powers conferred upon it by these Rules or any written notice lawfully issued by it under the powers so conferred, or fails to comply with the conditions subject to which any permission was given by the Committee to him under those powers, shall, if the disobedience or omission is not an offence punishable under any other of these Rules, be punished with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues :

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in these rules, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of these Rules.

[*Hyderabad Residency Orders, 1894, Pt. I, p. 110.*]

Residency and Rules. BAZARS No. 89-A., dated the 16th October 1912.—In exercise of the powers conferred by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, published in the notification of the Government of India in the Foreign Department, No. 3001-I., dated the 10th September 1895, the Resident at Hyderabad is pleased to make the following rules regarding the administration of the Hyderabad Residency Bazars Fund and to direct that they shall come into force in the Hyderabad Residency Bazars with effect from the date of this notification :—

### RESIDENCY BAZARS FUND RULES.

1. (1) The Residency Bazars Fund may be applied to the following purposes within the Residency Bazars Fund namely :—

- (a) the payment of any expenses directed by or under any enactment for the time being in force to be debited to the fund ;
- (b) the provision and maintenance of an office for the Residency Bazars Committee ;
- (c) the payment of the salaries of all Residency Bazar establishments ;
- (d) the pay and contribution towards pension of a portion of the Resident's office establishment ;
- (e) the payment of any expenses ordered by the Resident to be debited to the Fund ;
- (f) the survey of buildings and lands ;

(g) the management and improvement of lands and other property placed by the Government under the management of the Residency Bazars Committee, including—

- (i) the construction and maintenance of roads (other than those maintained from Imperial Funds) ;
- (ii) the lighting, watering, and cleansing of roads ; and
- (iii) the maintenance of public parks and gardens and the planting and tending of trees ;

(h) the provision and maintenance or aiding of public hospitals and dispensaries ;

(i) the provision and maintenance of public markets and slaughter-houses ;

(j) the carrying out of a proper system of conservancy throughout the Residency Bazars for all the inhabitants including—

- (i) the pay of the public conservancy establishment ;
- (ii) the construction of public latrines and other conservancy works ;
- (iii) the purchase of all necessary conservancy carts, utensils, and other appliances ;

(k) the execution and management of proper systems of water-supply and drainage and of other sanitary measures, including public vaccination and the prevention of the spread of infectious or contagious disorders, and generally the maintenance of the Residency Bazars in a thoroughly sanitary condition ;

(l) the burial, burning or other lawful disposal of the corpses of paupers and unknown persons ;

(m) the abatement of nuisances ;

(n) the taking of a census ;

(o) generally, the payment of all expenses incurred—

(i) under any rules made under section 101 of the Hyderabad Residency Bazars Regulation, 1895 ;

(ii) under any enactment extended to the Residency Bazars under section 103 of the Hyderabad Residency Bazars Regulation, 1895 ;

(iii) under any other law for the time being in force ;

(p) the maintenance of a police force ;

(q) grants-in-aid for education, etc.; and

(r) the grant of pensions and gratuities.

(2) The Residency Bazars Fund may, with the general or special sanction of the Resident, be applied to any of the purposes mentioned or referred

to in clauses (a) to (r), both inclusive, of this rule beyond the limits of the Residency Bazar in any case in which, in the opinion of the Resident, the application of the fund beyond those limits is expedient.

### *Estimates and Sanctions.*

2. (i) No money shall be paid from the Residency Bazar Fund unless the money not to be paid unless expenditure is either—  
diture sanctioned.

(a) provided for in the sanctioned budget estimate or by re-appropriation under rule 5, or

(b) sanctioned by the Resident either on his own motion or on the recommendation of the Residency Bazar Committee, and in the case of expenditure on public works, unless detailed estimates have been prepared and sanctioned.

(ii) Estimates for original works, repairs, tools and plant and live stock will be sanctioned by the Residency Bazar Committee when they cost Rs. 200 or less.

(iii) Estimates costing more than Rs. 200 will be examined and countersigned by the Superintendent of Works, Hyderabad Division, and will be sanctioned by the Resident.

(iv) Estimates for important works will be executed by the Public Works Department and designs for them prepared by that department.

(v) The powers of sanction conveyed in the foregoing paragraphs are not to be exercised so as to lead to a work being sanctioned in portions on separate estimates, or to the purchase at different times and on separate estimates of articles which should have been included in one estimate.

(vi) Except in so far as is specially provided in these rules, the Government of India Public Works Department Code of General Regulations will apply to all Residency Bazar public works as far as may be practicable.

NOTE—(i) The Chairman may on behalf of the Committee enter into any contract whereof the value or amount does not exceed two hundred rupees.

(ii) A contract whereof the value or amount exceeds two hundred rupees shall not be executed until it has been sanctioned by the Committee at a meeting.

(iii) Every contract made by or on behalf of the Committee whereof the value or amount exceeds fifty rupees shall be in writing.

(iv) Every such contract shall be signed by the Chairman.

(v) If a contract to which this note applies is executed otherwise than in conformity therewith, it shall not be binding on the Committee.

3. The responsibility for administering the funds provided in the sanctioned budget estimate or sanctioned under rule 2, clause (b), shall rest with the Residency Bazar Committee.

Responsibility for administering funds.

4. (1) On the 15th day of December in each year, or on such other date as the Resident may direct, the Residency Bazars Committee shall submit to the First Assistant Resident, Hyderabad, in duplicate, budget estimates of the receipts (including the grant-in-aid, if any) into and expenditure from the Residency Bazars Fund for the ensuing financial year.

Such estimates shall be framed in accordance with form S in the schedule, or in such other form as may be from time to time prescribed by the Accountant-General, Madras, with the previous sanction of the Resident.

(2) The Resident may sanction such estimates with or without modification.

(3) The sanction of the Resident to such estimates shall be communicated—

(a) to the Residency Bazars Committee, and

(b) to the Accountant-General, Madras.

5. (a) The Residency Bazars Committee can transfer sums from one sub-head to another under the same major head. Transfer of grants from one major head to another can be effected only with the sanction of the Resident.

(b) Transfer of grants from one sub-head to another made by the Residency Bazars Committee shall be communicated once a month to the Accountant-General, Madras, through the First Assistant Resident.

### *Payment.*

6. (1) Every claim for payment from the Residency Bazars Fund must be presented to the Chairman, Residency Bazars Committee, or in his absence the Vice-Chairman.

(2) The Chairman or in his absence the Vice-Chairman must check and examine every such claim, and, if it be found correct and supported by a voucher duly receipted, and, if necessary, bearing a stamp, shall sign an order for payment thereof.

(3) If payment is to be made from the imprest, the order for payment shall be "Pay in cash rupees (in words)," if payment is to be made by cheque such order shall be "Pay by cheque No. , dated , rupees (in words)," the blanks being filled up when the cheque is signed.

Payments how made 7. Payments must be made,—

(a) if the sum does not exceed twenty rupees, in cash, and

(b) if the sum exceeds twenty rupees, by cheque.

8. (1) Money may be drawn from the Residency Bazars Fund only by means of cheques written in form 4 in the schedule.

Cheque.

(2) No cheque shall be current for more than three months from the date on which it was drawn.

After the expiration of that period payment will be refused at the treasury, and the person in whose favour the cheque was drawn will therefore have to bring it back to be re-dated. No fresh cheque will be issued; the lapsed cheque will simply be re-dated and the alteration initialled by the Chairman or in his absence the Vice-Chairman of the Residency Bazars Committee. A note of the fact of re-dating shall be entered in the register of payments against the original transaction.

(3) All cheques must be signed by the Chairman or in his absence the Vice-Chairman of the Residency Bazars Committee.

(4) Cheques drawn in favour of a Government officer must be made payable to order, and cheques drawn in favour of any other person must be made payable to bearer.

(5) All cheque forms must be bound in books with counterfoils.

(6) Every such book must bear a number; and the Chairman of the Residency Bazars Committee or in his absence the Vice-Chairman must notify to the treasury the number of the book which he from time to time brings into use.

(7) On each cheque form there shall be printed the number of the book in which the form is contained and a consecutive number.

(8) There shall be noted on the outside of each cheque book an order that the Chairman of the Residency Bazars Committee shall keep the book under lock and key in his personal custody. When the officer holding the appointment of Chairman is relieved, he must take a receipt for the number of cheques made over to his successor, and must send to the treasury a specimen of his successor's signature.

9. (1) The Residency Bazars Committee shall, if it has not already done so, draw from the treasury a sum not exceeding one hundred and fifty rupees to

Imprest.

form an imprest for the purpose of meeting petty payments.

(2) The amount of petty payments met out of the imprest must be recouped by cheque on the last day of each month, and, if necessary, during the month also, so that the full amount of the imprest plus any sum received too late for remittance to the treasury on the last day of the month will always be shown in the monthly accounts as being in the hands of the Residency Bazars Committee.

10. Overdrafts on the Residency Bazars Fund shall be allowed only if approved of and sanctioned by the Resident.

*Overdrafts.*

*Receipts.*

11. (1) All money received for credit to the Residency Bazars Fund must be entered in a register of receipts kept in form 1 in the schedule, and, with the exception of grants-in-aid and fines, must be acknowledged by receipts in form 2 in the schedule.

(2) Such receipts must bear printed numbers in a consecutive series, and the number of each receipt must be entered in the second column of the register of receipts.

12. The Residency Bazars Committee shall be responsible for making such arrangements as will secure—  
Responsibility of Residency Bazars Committee as to receipts

(1) that all money received for credit to the Residency Bazars Fund is duly brought to credit in the accounts;

(2) that all money so received, with the exception of grants-in-aid and fines, is acknowledged by receipts in form 2; and

(3) that whenever a receipt is given the foil and counterfoil are correctly filled up.

*Account of the Imprest.*

13. An account of the imprest shall be kept in form 6 in the schedule, and the expenditure recorded in it must be entered in a register of payments kept in form 5 in the schedule, when a bill for the recoupment of the amount is made out, and the amount is drawn from the treasury by a cheque.

*Account of the imprest.*

*Bills for Expenditure.*

14. (1) All expenditure must be entered in a bill of one of the following kinds, namely:—  
Expenditure to be entered in bills.

(a) Establishment Pay Bill—for the pay of members of the Residency Bazars establishment.

(b) Travelling Allowance Bill—for travelling allowances of members of the Residency Bazars establishment; and

(c) Contingent Bill—for all charges other than pay and travelling allowances of members of the Residency Bazars establishment.

(2) Every Establishment Pay Bill must be prepared in Civil Account Code form.

(3) Every Travelling Allowance Bill must be prepared in Civil Account Code form.

(4) Every Contingent Bill must contain full details of the charges incurred.

NOTE (1).—Copies of Civil Account Code forms may be obtained on payment from the Residency Government Press.

NOTE (2).—The rules in the enclosure to circular letter No. 1640, dated 18th March 1893, from First Assistant Resident, under which contingent bills are countersigned by him and the Inspector-General of Police, respectively, will continue to be in force.

15. (1) Claims for supplies or services by contractors or tradesmen must be paid on bills as presented by them.

(2) When such claims are paid by cheque, the payment must be entered at once in the register of payments (form 5), and when they are paid in cash the payment must be entered in the imprest register (form 6).

When the bills for supplies or services by contractors or tradesmen are in the vernacular, a brief abstract should be endorsed in English stating the amount, the name of the payee, and the nature of the payment.

16. (1) All petty charges to be met from the imprest must be entered in bills prepared in Civil Account Code form.

Petty charges to be met from the imprest.

*Entry of Cheques in Accounts.*

19. All payments made by cheque must be entered in the register of payments (form 5), the vouchers being numbered in a monthly consecutive series.

20. If any cheque is cancelled, its amount must be deducted from the expenditure by a *minus* entry in the appropriate columns of the register of payments (form 5). The deduction will then pass into the cash book (form 7) through the daily total of payments carried into it.

*Accounts and Returns.*

21. The Residency Bazaar Committee shall keep a cash book in form 7 in the schedule. The cash book must be balanced monthly, and the balance shown in it must be reconciled with that shown in the pass book (form 3) as follows:—

Balance as per Pass Book . . . . .

Add—

Amount of imprest . . . . .

Money received too late for remittance to treasury .

Total .           

*Deduct.*—Outstanding cheques as per details below:—

Blank as per Cash Book—

Cheques outstanding on—

No.                  Date.                  Amount.

Total .           

22. (1) In the registers of receipts and payments (forms 1 and 5) the Entry of budget estimates in amounts sanctioned in the budget estimate registers of receipts and payments. for the year must be entered at the top of columns for the heads for which separate estimates are made.

(2) If, during the year, or in any revised estimate that may be sanctioned for the year, any addition to or alteration in the estimates is made, it must be noted in the appropriate register in red ink with *plus* or *minus* signs, the orders for the addition or alteration being cited.

23. (1) At the end of each month the figures in the registers of receipts and payments (forms 1 and 5) must be added up, the totals up to the end of the last preceding month being added to those of the month just expired, and grand totals being made from the 1st April last preceding.



(2) If the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application must at once be made for orders under rule 2, clause (b), or rule 5, as the circumstances may require, to cover the excess.

24. (1) The accounts of the Residency Bazars Fund will be audited locally by the staff of the Examiner, Local

*Audit of accounts.*

Fund Accounts, on behalf of the Accountant-General, Madras, every half-year. To facilitate audit, all vouchers, with all sub-vouchers above Rs. 10 attached to them, should be numbered in monthly series, and filed in separate files. These vouchers, all registers maintained in the office and all other documents required for the purposes of audit should be produced whenever called for by the Auditors, and any explanation required by these officers for the settlement on the spot of objection raised should be furnished without delay.

(2) The Examiner of Local Fund Accounts will submit a report on the audit to the Accountant-General, who will forward copies thereof with his remarks to the Chairman, Residency Bazars Committee, and the Resident at Hyderabad for necessary action.

(3) The Examiner of Local Fund Accounts will inspect the Residency Bazars office, during his tour of inspection to ascertain if past audits by his staff have been properly conducted and to see if the accounts of the Fund have been kept according to the prescribed rules. He would also advise the Residency Bazars Committee on financial matters generally.

(4) All cases of fraud or embezzlement should at once be reported to the Accountant-General, Madras, for any action which he may deem fit to take.

(5) At the close of the financial year a consolidated account of receipts and payments classified under the several major and minor sub-heads in form 8 should be prepared in duplicate from the registers of receipts and payments and forwarded to the Accountant-General, Madras.

#### *Classification.*

25. (1) All receipts into and expenditure from the Residency Bazars

*Classification of receipts and expenditure.*

Fund shall be classified in the monthly and annual accounts in accordance with form 8 in the schedule.

(2) All expenditure must be classified in the monthly accounts under the appropriate major heads, minor heads, and sub-heads with reference to the nature of the charge, whether specific budget provision exist or not and no expenditure, which from its nature properly falls under one of the other prescribed heads, shall be classified under the head "Miscellaneous" on the ground that there is no specific budget provision for the charge.

*The Residency Bazars Fund.*

26. There shall be placed to the credit of the Residency Bazars Fund  
 Sums to be credited to Residency Bazars Fund. the following sums, namely—

- (a) all sums directed by section 37, sub section (1), of the Residency Bazars Regulation, 1895, or by or under any other enactment for the time being in force, to be placed to the credit of the Fund;
- (b) all grants-in aid and other sums received by the Residency Bazars Committee in aid of the fund.
- (c) proceeds from sale of stamps,
- (d) alkari farms rent,
- (e) registration fees,
- (f) general fees, fines, and forfeitures, and
- (g) miscellaneous.

*Remittance to Treasury and Pass Book.*

27. The Residency Bazars Committee shall remit to the Hyderabad  
 All moneys to be remitted to Residency Treasury all moneys received for  
 treasury. credit to the Residency Bazars Fund.

28. (1) Remittances to the treasury should be made every day. All  
 Procedure for remittances to trea- moneys in hand on the last working day  
 sury. of each month must be remitted on that day.

(2) All remittances must be accompanied by a chalan or invoice and  
 by a pass book in form 3 in the schedule.

(3) Whenever a remittance is made, the Officer in charge of the Treasury  
 must acknowledge the receipt of the money by entries in the pass book,  
 and must enter on the charge side of the pass book particulars of cheques  
 paid up to date as recorded in his register.

(4) The pass book must be sent to the treasury on the last working  
 day of each month, whether or not there are any moneys to be remitted  
 to the treasury on that day. The Officer in charge of the Treasury must  
 then close the pass book for the month, and enter therein words the balance  
 in hand and sign the entry.

29. (1) The Residency Bazars Committee shall examine the pass book  
 Supervision of pass book by Resi- from time to time, and shall immediately  
 dency Bazars Committee call the attention of the Officer in charge of  
 the Treasury to any discrepancy that may appear between the credits or  
 debits shown therein and those shown in the Residency Bazars registers

(2) The pass book shall be written up only by the Officer in charge  
 of the Treasury or by some member of his establishment, and no entries or

marks shall be made therein by the Residency Bazars Committee or by any member of the Residency Bazars establishment.

*Establishments.*

30. In determining or altering the strength or cost, or both, of any Residency Bazars establishments, the Residency Bazars Committee must obtain the previous approval of the Resident :

Provided that every alteration shall be subject to the provisions of rules 2 and 5.

31. (1) The Chairman, Residency Bazars Committee, shall require every servant of the Residency Bazars Committee who is entrusted with the receipt, custody or control of moneys or securities for money to furnish security for the due discharge of his office to such amount as the Residency Bazars Committee may determine.

(2) No security shall be accepted other than a deposit of—

(a) cash, or

(b) Government securities, or

(c) shares in the Bank of Bengal, the Bank of Madras, of the Bank of Bombay, or

(d) debentures or other securities for money issued by or on behalf of a local authority.

32. The Chairman, Residency Bazars Committee, shall deal in the manner prescribed in the Civil Account Code with all moneys and securities deposited as security by or on behalf of servants of the Residency Bazars Committee or persons who have entered into contracts with the Residency Bazars Committee.—

Provided that no such moneys or securities as aforesaid shall be delivered up,—

(a) if deposited by or on behalf of a servant of the Residency Bazars Committee, until after the lapse of such time after the death of, or the vacation of his office by, such servant as the Residency Bazars Committee may direct ; or,

(b) if deposited by or on behalf of a contractor, then, in the absence of any condition in the contract to the contrary, until after the lapse of such time after the completion of the contract to the satisfaction of the Residency Bazars Committee as that authority may direct.



## FORM 2.

(See Rules 11, 12, and 21.)

## RECEIPT.

*(To be retained in Residency  
Bazars Committee's Office.)*

No. \_\_\_\_\_

Dated \_\_\_\_\_

Received from \_\_\_\_\_

on account of \_\_\_\_\_

R. \_\_\_\_\_

*(To be given to the person from whom the  
money is received.)*

No. \_\_\_\_\_ dated \_\_\_\_\_

Received from \_\_\_\_\_

on account of \_\_\_\_\_

R. \_\_\_\_\_

Signed \_\_\_\_\_

*Chairman, Residency Bazars Committee,  
Hyderabad,**or in his absence the Vice-Chairman.*



FORM 4.  
(See Rule 8.)

RESIDENCY BAZARS  
FUND CHEQUE.

ONE ANNA  
STAMP if the  
cheque is for  
an amount  
exceeding  
twenty  
rupees Govt.

Cheque Book No. \_\_\_\_\_

Cheque No. \_\_\_\_\_

*Hyderabad,*

*Dated* \_\_\_\_\_ *19* .

To the Officer in charge of the Treasury  
at

Pay to \_\_\_\_\_

R \_\_\_\_\_, and charge to the  
Residency Bazars Fund.

Under  
R

(Signed) \_\_\_\_\_

*Chairman, Residency Bazars  
Committee,  
or in his absence the Vice-Chairman.*

This cheque is current for three months only.

Cheque Book No.

Cheque No. \_\_\_\_\_

Dated \_\_\_\_\_

To \_\_\_\_\_

R \_\_\_\_\_







## FORM 8.

(See Rules 4 and 25)

*Budget estimate of receipts into and expenditure from the Residency  
Bazara Fund for the year—191 .*

Heads of receipts.	Actuals (previous year).	ESTIMATE (CURRENT YEAR)		Estimate (current year).	REMARKS.
		Original, as sanctioned by the Resident	Revised.		
<i>I.—Land Revenue—</i>	Rs.	Rs.	Rs.	Rs.	Rs.
Income from lands . . .					
<i>II.—Stamps—</i>					
Sale of stamps . . .					
Miscellaneous . . .					
<i>III.—Excise—</i>					
Abkari farms . . .					
<i>IV.—Provincial Rates—</i>					
Rates and cesses on lands .					
<i>V.—Assessed Taxes—</i>					
Taxes on houses . . .					
Tax on trades and professions.					
Octroi . . .					
Miscellaneous (including tax on horses and carriages).					
<i>VI.—Registration—</i>					
Fees and miscellaneous . . .					
<i>VII.—Law and Justice—</i>					
General fees, fines, and for- feitures.					
Miscellaneous . . .					
<i>VIII.—Police—</i>					
General Police Fund . . .					
Fees, fines and forfeitures					
Miscellaneous (including cattle-pound receipts)					
Contribution for leave, etc . .					
Contribution for clothing . .					
Unclaimed property . . .					
<i>IX.—Minor Departments—</i>					
<i>Agriculture—</i>					
Public Gardens . . .					
<i>Sanitation—</i>					
Conservancy tax and fees					
Dues of masonry, etc . . .					
<i>Water supply—</i>					
Water tax . . .					
Private service tax . . .					
Other receipts . . .					

FORM 8—*contd.*

(See Rules 4 and 25.)

*Budget estimate of receipts into and expenditure from the Residency  
Bazars Fund for the year—191 .*

Heads of receipts.	Actuals (previous year).	ESTIMATE (CURRENT YEAR).		Estimate (ensuing year).	REMARKS.
		Original, as sanctioned by the Resident	Revised.		
<b>X.—Miscellaneous—</b>	Rs.	Rs.	Rs.	Rs.	Rs.
Sales of old materials . . .					
Sales of lands and houses . . .					
Contributions from H. H. the Nizam's Government					
Rents of houses . . .					
Sales of fruit, grass, etc. . .					
Gain by exchange on local transactions.					
Other miscellaneous receipts (slaughter houses, markets, etc.) to be detailed in manuscript on the back of this form.					
<b>XI.—Public Works—</b>					
Tools and ferries . . .					
Miscellaneous . . .					
<b>XII.—Deposits and advances—</b>					
Permanent advances . . .					
Stock account . . .					
Other deposits and advances . . .					
Total receipts from local sources . . .					
Opening balance . . .					
Grand Total . . .					

RESIDENCY BAZARS COMMITTEE'S  
OFFICE, HYDERABAD ;

Dated

191 . }

FORM 8—*contd.*  
(See Rules 4 and 25).

*Budget estimate of receipts into and expenditure from the Residency  
Buzars fund for the year 191 .*

Heads of expenditures.	Actuals (previous year)	Estimate (current year)		Estimate (ensuing year)	Remarks.
		Original, as sanctioned by the Resident.	Revised.		
	Rs.	Rs..	Rs	Rs.	Rs
1.—Refunds—					
Refunds of stamps . . . .					
Refunds of taxes . . . .					
Miscellaneous refunds . . . .					
2.—Charges of collection of revenue—					
Rate and cess collecting establish- ment.					
Contingencies . . . .					
3.—Stamps—					
Establishment . . . .					
Contingencies . . . .					
Miscellaneous . . . .					
4.—Registration—					
Establishment . . . .					
Contingencies . . . .					
5.—General Administration—					
Establishment engaged in general management and accounts .					
Grain compensation allowance .					
Exchange compensation allowance.					
Contingent charges . . . .					
Contribution towards establish- ment in Government offices .					
6.—Jails—					
Lock-ups . . . .					
Contingencies . . . .					
7.—Police—					
Executive Force . . . .					
Establishment . . . .					
Contingencies . . . .					
Miscellaneous (including cattle pounds and establishment there- for) .					
General Police Fund . . . .					
Exchange compensation allowance .					
8.—Education—					
Inspection . . . .					
Grant-in aid . . . .					
9.—Medical—					
Hospitals and Dispensaries—					
Establishments . . . .					
Contingencies . . . .					
Contribution towards pension .					
Vaccination—					
Establishments . . . .					
Contingencies . . . .					
10.—Minor Departments—					
Public Gardens, Tree-tending and Forests—					
Establishments . . . .					
Contingencies . . . .					

FORM 8—contd.

(See Rules 4 and 25).

*Budget estimate of receipts into and expenditure from the Residency Bazar Fund for the year* 191 .

Heads of expenditure.	Actuals (previous year).	Estimate (current year).		Estimate (ensuing year)	REMARKS.
		Original, as sanctioned by the Resident.	Revised.		
<b>10.—Minor Departments—contd.</b>	<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>
<i>Cemeteries—</i>					
Establishments . . . .					
Contingencies . . . .					
<i>Conservancy—</i>					
Establishments . . . .					
Contingencies . . . .					
<i>Public Fairs and Exhibitions—</i>					
Establishments . . . .					
Contingencies . . . .					
<i>Water-supply—</i>					
Establishments . . . .					
Contingencies . . . .					
Contribution to the British P W. D. on account of Resi- dency Bazar Water Works					
<i>Registration of Births and Deaths—</i>					
Establishments . . . .					
Contingencies . . . .					
<b>11.—Superannuation—</b>					
Pensions and gratuities . .					
<b>12.—Miscellaneous—</b>					
Rents, rates and taxes . . .					
Petty establishments . . . .					
Contingencies . . . .					
Miscellaneous . . . .					
Loss by exchange on local transac- tions.					
<b>13.—Public Works—</b>					
Supervising establishment, tools and plant.					
<i>Original Works—</i>					
Buildings . . . .					
Roads . . . .					
Other works . . . .					
<i>Maintenance and Repairs—</i>					
Buildings . . . .					
Roads . . . .					
Other works . . . .					
Petty construction and repairs .					
<b>14.—Deposits and Advances—</b>					
Permanent advances . . . .					
Stock account . . . .					
Other deposits and advances .					
<b>Total Expenditure—</b>					
Closing balance . . . .					
<b>Grand Total</b> . . . .					

(Signed) \_\_\_\_\_  
Chairman, Residency Bazar Committee.



FORM A.—APPENDIX A—*contd.**Consequeency Establishment.*

GENERAL SANITATION		LATRINES.	
Details.	Monthly cost.	Details.	Monthly cost.

(Signed) \_\_\_\_\_

Chairman, Residency Bazar Committee.

## FORM B—APPENDIX B

*Detailed list of Expenditure provided for in the Residency Bazar Fund Budget Estimate for the year other than that included in Appendices A, C and D.*

1	2	3	4		
Major heads	Minor heads and sub-heads.	Details.	Total assignment to Residency Bazar Fund Budget Estimate.		
			Rs.	A	P.
Refunds	Refunds of Stamps. Refunds of Taxes. Miscellaneous Refunds.				
Charges of collection of Revenue.	Contingencies.				
Registration	Contingencies.				
General Administration.	Contingencies. Contributions towards Establishments in Government Offices.				

## FORM 8—APPENDIX B—contd.

1	2	3			4			
Major heads.	Minor heads and sub-heads	Details.			Total assignment in Realency Bazaars Fund Budget Estimate.			
			Rs.	A.	P.	Rs.	A.	P.
Police	Executive Force Contingencies							
	Miscellaneous (including cattle-pounds but not establishments therefor)							
	Hospitals and Dispensaries.							
Medical	Contingencies							
	Vaccination							
Medical—	Contingencies							
Minor Department	Public Gardens, Trees-planting and Forests.							
	Contingencies							
	Cemeteries.							
	Contingencies							



FORM 8—APPENDIX B—*concl.*

1	2	3			4			
Major heads.	Minor heads and sub-heads.	Details.			Total assignment in Residency Bazar Fund Budget Estimate.			
			Rs.	A.	P.	Rs.	A.	P.
Minor Depart-ments—contd.	Conservancy.							
	Contingencies .							
	Public Fairs and Exhibitions.							
	Contingencies .							
Supersunnation	Water-supply.							
	Contingencies .							
Miscellaneous	Pensions and Gratuities.							
	Rents, Rates and Taxes							
	Contingencies .							
	Miscellaneous .							
Deposits and Advances.								

(Signed) \_\_\_\_\_  
Chairman, Residency Bazar Committee.

NOTE.—All expenditures should be fully detailed in column 3, thus—

Purchase of three Crawley carts	Rs.	A.	P.
of bullocks	420	0	0
Feed	100	0	0
Repairs and renewals to pans and receptacles	163	0	0
Purchase of 8 " " "	100	0	0
Miscellaneous, not included in but excluding any reserve	80	0	0
	100	0	0
	963	0	0

\* This should include all petty expenditure which cannot be detailed but should not include anything of the nature of a reserve.

## FORM 8—APPENDIX C.

(MAJOR HEAD—"Public Works.")

*Details of Budget Estimate for Original Works (Construction of Buildings, Roads, Latrines, etc) in the Hyderabad Residency Bazars for the year—.*

1	2	3	4	5	6	7
Sub-heads.	Nature of each work.	Estimated cost of work.	* Estimate for (current year).	Previously expended	Estimate for (ensuing year).	REMARKS.
Buildings . . .						
Roads . . .						
Other works . . .						

*Note*—Column 2 will show the entire cost of the work, column 4, the sum sanctioned for expenditure during the current year; column 5, the amount previously expended since commencement of the work; and column 6, the amount proposed for expenditure during the ensuing year. Thus, if the work is to be completed during the ensuing year, the total of columns 4, 5 and 6 will equal that in column 2; otherwise the difference will show the amount which will still be required to complete the work.

\* The totals in column 4 will agree with the allotments made in the body of the revised estimate for the current year.

(Signed)\_\_\_\_\_

Chairman, Residency Bazars Committee.

## FORM 8—APPENDIX D

(MAJOR HEAD—"Public Works.")

*Details of Budget Estimate for Maintenance and Repairs in the Hyderabad Residency Bazars for the year—*

Sub-heads.	Nature of each work	Estimate (ensuing year).	REMARKS.
Buildings . . .			
Roads . . .			
Other works . . .			
Petty constructions and repairs.			

(Signed)\_\_\_\_\_

Chairman, Residency Bazars Committee.

[Hyderabad Residency Orders, 1912, Pt p 133.]

in the said day or hours as he may deem necessary: provided that at least 24 hours' notice of any intended alteration shall be given to the rate-payer.

XI. Any rate-payer who

(a) being supplied with water in respect of any garden, diverts the whole or any portion of such water to any other garden, or uses it for any purpose other than the irrigation of the garden for which it is supplied, or

(b) wantonly wastes or permits the waste of water supplied to him, or

(c) omits to give the notice required by Rule IX, shall, on conviction by a Magistrate, be punishable with a fine which may extend to fifty rupees (H. S. Rs. 50) for each such offence.

XII. The Chairman or any person deputed by him in that behalf may, at any time and without notice, inspect any garden to which water is supplied for any purpose connected with these rules.

#### FORM I.

*Application for supply of irrigation water.*

To

THE CHAIRMAN,  
LOCAL FUND COMMITTEE,  
Residency Bazars.

SIR,

I wish to have an irrigation water pipe laid on to my garden which is situated in the Residency Bazars.

2. I request that I may be furnished with information regarding the cost of laying the necessary pipes for the conveyance of water to the garden in question, as well as the monthly rate chargeable for the supply of water.

3. I also request that I may be supplied with a copy of the rules.

#### FORM. II.

To

THE CHAIRMAN,  
LOCAL FUND COMMITTEE,  
Residency Bazars.

SIR,

With reference to your Memorandum, dated \_\_\_\_\_, I beg to send herewith H.S. Rs. \_\_\_\_\_ (in words) being cost of laying water pipes, etc., to my garden as intimated by you.

2. I undertake to pay H. S. Rs. \_\_\_\_\_ (in words) monthly in advance for the supply of water, as soon as intimation is given of the completion of the laying of the pipes to my garden, and to abide by the rules forwarded to me with your memorandum.

## FORM III.

## TIME TABLE

*Showing the days of the week and time on which supply of water will be allowed to the undermentioned garden.*

Name of garden.	Week days.	Time		Remarks.
		From	To	

HYDERABAD RESIDENCY ; } *Supervisor,*  
*Dated* \_\_\_\_\_ *1905* } *in charge of Residency Bazaars Water Works.*

*Chairman, Local Fund Committee.*

a of the  
ns in the  
Bazars.

No. 37-J., dated the 11th April 1910.—In exercise of the power conferred on him by clause (t) of sub-section (i) of section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to prohibit the use of horns by vehicles other than motor-vehicles in the Residency Bazars, and to direct that a breach of this rule shall be punishable on conviction before a Magistrate with a fine which may extend to fifty rupees.

[*Hyderabad Residency Orders, 1910, Pt. I, p. 41.*]

regulate  
public  
and music  
Residency

No. 72-J., dated the 9th August 1912.—In exercise of the powers conferred by section 101 (1) (f) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate traffic, public processions and music within the said Bazars :—

#### *Processions and Music.*

1. Applications for permission to pass in procession through the streets, made under section 90 of the Regulation, may be granted in the form appended to these rules subject to the conditions mentioned thereunder and such other conditions as the Superintendent of the Residency Bazars may think fit to impose.

2. No one shall, without the permission of the Superintendent of the Residency Bazars, beat a drum or tom-tom, blow a horn or trumpet or beat or sound any brass or other instrument or utensil, or play any music or sing in a loud voice so as to annoy neighbours.

#### *Wheeled Traffic.*

3. No carts loaded or unloaded shall pass between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads at any time during the day or night unless they have business there.

4. No loaded carts shall pass on the other principal streets between the hours of 6-30 A.M. and 8-30 A.M. and 4 P.M. and 8-30 P.M.

#### **FORM.**

Permission is hereby granted to

son of

to pass in procession  $\frac{\text{with}}{\text{without}}$  music through the

Residency Bazars on the  
forth below.

subject to the conditions set

## CONDITIONS.

- (a) Processions may not pass through the principal streets between the hours of 5 P.M. and 8 P.M. and the hours of 10 P.M. and 6-30 A.M. save with the special permission of the Superintendent of the Residency Bazars.
- (b) Processions with music or noise may not pass on any road between the hours of 10 P.M. and 6-30 A.M., or at other times on the main road between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads, except with special permission of the Superintendent of the Residency Bazars. Should a procession wish to pass between these two places, it must either pass without making any noise or else, if music is necessary, it must branch off at the Isa Mian Bazar cross-roads and proceed *via* Madan Chand Rup Chand's house across the New Bazar by the Head Police Station and on to Ramkot by the back road.
- (c) Loud music for which special permission must be asked in the application is only allowed for one hour during the day.
- (d) Fire-arms may not be discharged anywhere within the Residency Bazars.
- (e) Fire-works may not be discharged in the principal streets nor in any place where there is special danger of fire.
- (f) Elephants must be turned aside and stopped when carriages or horses are approaching.
- (g) Processions must allow room for carriages to pass and must keep to the left of the road.
- (h) Any directions given by the police on duty for the preservation of order to facilitate traffic must be strictly attended to.

Conditions (a) to (e) shall not apply to permits granted for special festivals such as the Moharram, the Holi, the Divali, and the Dasara.

In the above conditions the term "Principal streets" means:—

- (1) The road from the Isa Mian Bazar cross-roads to the Ramkot Police Naka passing by the Residency North gate and the Residency Hospital and Clock Tower.
- (2) The road from Putli Baori to Lingampalli by the Head Police Station.
- (3) The road from the Residency North-West gate to the Troop Bazar Police Station.



## CONDITIONS.

- (a) Processions may not pass through the principal streets between the hours of 5 P.M. and 8 P.M. and the hours of 10 P.M. and 6-30 A.M. save with the special permission of the Superintendent of the Residency Bazars.
- (b) Processions with music or noise may not pass on any road between the hours of 10 P.M. and 6-30 A.M., or at other times on the main road between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads, except with special permission of the Superintendent of the Residency Bazars. Should a procession wish to pass between these two places, it must either pass without making any noise or else, if music is necessary, it must branch off at the Isa Mian Bazar cross-roads and proceed *via* Madan Chand Rup Chand's house across the Now Bazar by the Head Police Station and on to Ramkot by the back road.
- (c) Loud music for which special permission must be asked in the application is only allowed for one hour during the day.
- (d) Fire-arms may not be discharged anywhere within the Residency Bazars.
- (e) Fire-works may not be discharged in the principal streets nor in any place where there is special danger of fire.
- (f) Elephants must be turned aside and stopped when carriages or horses are approaching.
- (g) Processions must allow room for carriages to pass and must keep to the left of the road.
- (h) Any directions given by the police on duty for the preservation of order to facilitate traffic must be strictly attended to.

Conditions (a) to (e) shall not apply to permits granted for special festivals such as the Moharlam, the Holi, the Divali, and the Dasara.

In the above conditions the term "Principal streets" means :—

- (1) The road from the Isa Mian Bazar cross-roads to the Ramkot Police Naka passing by the Residency North gate and the Residency Hospital and Clock Tower
- (2) The road from Putli Baori to Lingampalli by the Head Police Station.
- (3) The road from the Residency North-West gate to the Troop Bazar Police Station.



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the  
Bazars.

*No. 37-J., dated the 11th April 1910.*—In exercise of the power conferred on him by clause (e) of sub-section (i) of section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to prohibit the use of horns by vehicles other than motor-vehicles in the Residency Bazars, and to direct that a breach of this rule shall be punishable on conviction before a Magistrate with a fine which may extend to fifty rupees.

[*Hyderabad Residency Orders, 1910, Pt. I, p. 41.*]

ulate  
public  
music  
Bazars

*No. 72-J., dated the 9th August 1912.*—In exercise of the powers conferred by section 101 (1) (f) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate traffic, public processions and music within the said Bazars :—

#### *Processions and Music.*

1. Applications for permission to pass in procession through the streets, made under section 90 of the Regulation, may be granted in the form appended to these rules subject to the conditions mentioned thereunder and such other conditions as the Superintendent of the Residency Bazars may think fit to impose.

2. No one shall, without the permission of the Superintendent of the Residency Bazars, beat a drum or tom-tom, blow a horn or trumpet or beat or sound any brass or other instrument or utensil, or play any music or sing in a loud voice so as to annoy neighbours.

#### *Wheeled Traffic.*

3. No carts loaded or unloaded shall pass between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads at any time during the day or night unless they have business there.

4. No loaded carts shall pass on the other principal streets between the hours of 6-30 A.M. and 8-30 A.M. and 4 P.M. and 5-30 P.M.

#### **FORM.**

Permission is hereby granted to  
son of \_\_\_\_\_ to pass in procession  $\frac{\text{with}}{\text{without}}$  music through the  
Residency Bazars on the \_\_\_\_\_ subject to the conditions set  
forth below.

## CONDITIONS.

- (a) Processions may not pass through the principal streets between the hours of 5 P.M. and 8 P.M. and the hours of 10 P.M. and 6-30 A.M. save with the special permission of the Superintendent of the Residency Bazaars.
- (b) Processions with music or noise may not pass on any road between the hours of 10 P.M. and 6-30 A.M., or at other times on the main road between the Isa Mian Bazar cross-roads and the Clock Tower cross-roads, except with special permission of the Superintendent of the Residency Bazaars. Should a procession wish to pass between these two places, it must either pass without making any noise or else, if music is necessary, it must branch off at the Isa Mian Bazar cross-roads and proceed *via* Madan Chand Rup Chand's house across the Now Bazar by the Head Police Station and on to Ramkot by the back road.
- (c) Loud music for which special permission must be asked in the application is only allowed for one hour during the day.
- (d) Fire-arms may not be discharged anywhere within the Residency Bazaars.
- (e) Fire-works may not be discharged in the principal streets nor in any place where there is special danger of fire.
- (f) Elephants must be turned aside and stopped when carriages or horses are approaching.
- (g) Processions must allow room for carriages to pass and must keep to the left of the road.
- (h) Any directions given by the police on duty for the preservation of order to facilitate traffic must be strictly attended to.

Conditions (a) to (e) shall not apply to permits granted for special festivals such as the Moharram, the Holi, the Divali, and the Dasara.

In the above conditions the term "Principal streets" means :—

- (1) The road from the Isa Mian Bazar cross-roads to the Ramkot Police Naka passing by the Residency North gate and the Residency Hospital and Clock Tower.
- (2) The road from Putli Baori to Lingampalli by the Head Police Station.
- (3) The road from the Residency North-West gate to the Troop Bazar Police Station.

II. In exercise of the power conferred by section 101 (ii) of the Regulation, the Resident is pleased to direct that a breach of any of the above rules or of any of the conditions mentioned in Rule I shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and when the breach is a continuing breach with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

[*Hyderabad Residency Orders, 1912, Pt. I, p. 110.*]

Whitewashing of  
houses in the  
Residency Bazars.

No. 76, dated the 24th August 1904.—In exercise of the powers conferred by section 101 of the Regulation for the better administration of the Hyderabad Residency Bazars<sup>1</sup>, published under the Government of India, Foreign Department, notification No. 3001 I, dated the 10th September 1895, the Resident is pleased to issue the following rule:—

That every owner or occupier of buildings and lands in the Residency Bazars, shall whitewash the outside of his buildings and compound walls once a year during the month of October or November.

[*Hyderabad Residency Orders, 1904, Pt. I, p. 184.*]

Rules for the  
suppression of  
mendicancy and for  
the removal of  
disorderly and  
otherwise  
undesirable persons  
from the  
Residency Bazars.

No. 36, dated the 27th August 1897.—In exercise of the power conferred by section 102 of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident at Hyderabad, with the previous sanction of the Governor-General in Council, is pleased to make the following rules for the suppression of mendicancy and for the removal and exclusion of certain persons from the Residency Bazars.

### *Mendicancy.*

1. No mendicant shall, in any street or public place within the limits of the Hyderabad Residency Bazars, loiter or beg for alms.

### *Disorderly persons.*

2. (1) Whenever the Superintendent receives information that any person, whether resident in or frequenting the Hyderabad Residency Bazars,—

(a) is a disorderly person, keeping or frequenting—

(i) a common gaming house,

(ii) a disorderly drinking shop, or

(iii) a disorderly house of any other description, or

(b) has been convicted more than once, either within the Hyderabad Residency Bazars or elsewhere, of an offence against Chapter XVII of the Indian Penal Code, or

Page 306.—After notification No. 78, dated the 24th August 1904 insert the following :—

No. 64-J, dated the 20th August 1914.—In exercise of the power conferred on him by section 101 (i) (k) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895,<sup>1</sup> the Resident is pleased to make the following rules with reference to section 48 of the Regulation, namely :—

1. The roof and external walls of huts or other buildings within the Residency Bazars limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material without the written permission of the Superintendent.

2. Before beginning to erect or re-erect any building, in the Residency Bazars, the person intending to erect or re-erect such building shall give to the Superintendent, Residency Bazars, notice in writing of his intention to do so and shall conform as far as possible with the following regulations which are designed to render houses sanitary and plague proof :—

(1) Each house shall stand on a plinth of such a height as may be considered by the Superintendent to be suitable.

(2) the names, (a) (b), (c) or lanes with the widths thereof, and the position and use of adjacent buildings :

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient for the site plan to show, to the satisfaction of the Superintendent of the Residency Bazars, without scale, the size of the proposed building and its position on the land, together with the position of the land with reference to adjacent buildings or lands.

(iii) The plans of the proposed buildings shall be submitted in duplicate, drawn to a scale of not less than one inch to ten feet and showing :—

- (a) the plan of the ground floor and of each floor, with the sections and elevations on the same scale ;
- (b) the levels of the foundation and lowest floor or plinth, with reference to the level at the centre of the adjacent roads or street, and the level of the site ;
- (c) the depth and thickness of foundations ;
- (d) the height and thickness of the plinth or basement walls and of the walls above the plinth ;
- (e) the thickness of the floor or floors and the dimensions and structure of the roof :

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient to show in writing to the satisfaction of the Superintendent, the levels at which the foundation and lowest floor are to be laid.

Page 300.—Before notification No. 84-J., dated the 20th August 1914, (see Addendum No. 44) insert the following :—

No. 86-J., dated the 31st October 1914.—In exercise of the power conferred on him by section 101 (i) (f) (f) of the Regulation for the better administration of the Hyderabad Residency Bazars, 1895<sup>1</sup>, the Resident is pleased to make the following rules to regulate the sale of meat intended for human consumption, namely :—

Rules to regulate the sale of meat intended for human consumption.

1. No place shall be used as a market for the sale of meat intended for human consumption except the public market, provided that the Superintendent of the Residency Bazars shall have power to license as retail shops for the sale thereof such other places as he may think fit for the purpose, and to withdraw such licenses.

2. Whoever without obtaining a license from the Superintendent of the Residency Bazars under the above rule uses any place not within the public market for the sale of meat shall be liable on conviction by a Magistrate to a fine not exceeding Rs. 20 and to a further fine which may extend to Rs. 2 for every day after such conviction during which he continues so to use it.

3. A fee of Rs. 5 per annum shall be charged for a license granted by the Superintendent of the Residency Bazars under rule 1 for the use of any place as a retail shop for the sale of meat.

## 12

All such licenses shall expire on the 31st March in each year, and application for their renewal must be made to the Superintendent of the Residency Bazars before the end of March in the year for which they are current.

4. Every license granted for the sale of meat shall be in the following form :—

\_\_\_\_\_ is hereby licensed to keep a butcher's shop at No. \_\_\_\_\_ in \_\_\_\_\_ street for the retail sale of animal flesh intended for human consumption subject to the following conditions, namely :—

(1) That the Superintendent of the Residency Bazars or other officer authorised by him shall at all times have free access to the shop for municipal purposes, and that he shall produce this license to any such officer demanding it.

(2) That he shall not sell or offer for sale any meat that is decomposed or unfit for consumption, or that by blowing or other artificial means is made to appear to be in a condition differing from what it really is.

(3) That he shall keep for use in the shop proper scales and correct weights properly stamped.

(4) That meat kept for sale shall be properly screened under wire gauze meat safes, or otherwise effectually protected from flies.

5. A breach of any of the conditions of a license granted under rule 1 above by the licensee or by his servants shall render the licensee liable on conviction by a Magistrate to a fine not exceeding Rs. 20.

[Hyderabad Residency Orders, 1914, Pt. I, p. 195.]

(c) has been ordered under the Code of Criminal Procedure, 1882, either within the Hyderabad Residency Bazars or elsewhere, to execute a bond for his good behaviour, he may make an order in writing setting forth the substance of the information received, and issue a summons requiring such person to show cause why he should not be removed and excluded from the Hyderabad Residency Bazars.

(2) Every such summons shall be accompanied by a copy of such order, and such copy shall be delivered by the officer serving the summons to the person served with the same.

(3) The Superintendent shall, when such person appears before him, proceed to enquire into the truth of the information upon which he has acted, and to take such further evidence as may appear necessary; and if upon such enquiry it appears necessary for the maintenance of good order that such person should be removed and excluded from the Hyderabad Residency Bazars, the Superintendent shall issue a notice in writing directing him to remove from the Hyderabad Residency Bazars within a period to be specified in the notice, and prohibiting him from re-entering it without the written permission of the First Assistant Resident to be given on the recommendation of the Superintendent.

3. (I) Whenever the Resident deems it expedient to exclude any person from the Hyderabad Residency Bazars, whether with or without assigning any reason therefor, he shall send, or cause to be sent, to the Superintendent an order in writing to that effect, and the Superintendent shall cause a copy of such order to be served on such person, and shall issue with such copy a notice in writing directing him to remove from the Hyderabad Residency Bazars within a period to be specified in the notice, and prohibiting him from re-entering it without the written permission of the First Assistant Resident:

Provided that no such order shall be made if the only reason for making it is that such person—

(i) is disorderly, or

(ii) has been convicted of any offence against Chapter XVII of the Indian Penal Code or

(iii) has been ordered under the Code of Criminal Procedure, 1882, to execute a bond for his good behaviour.

4. When any person has under either of the two last foregoing rules been directed to remove from the Hyderabad Residency Bazars, and has not obtained the written permission mentioned in such rule to re-enter the Hyderabad Residency Bazars, no person who has knowledge of those facts shall harbour or conceal him in the Hyderabad Residency Bazars.

5. (a) Whoever having under rule 2 or 3 been prohibited from remaining in or re-entering the Hyderabad Residency Bazars remains in or re-enters it without the written permission of the First Assistant Resident, or

(b) Commits a breach of rule 1 or 4,

shall be liable to be arrested on a warrant issued by the District Magistrate of the Residency Bazars, and shall be punishable with fine which may extend to fifty rupees or with imprisonment which may extend to eight days.

6. Any member of the Police force employed in the Hyderabad Residency Bazars may arrest without warrant any person committing or charged with having committed an offence punishable under clause (a) or clause (b) for the last foregoing rule :

Provided as follows :—

- (i) No person shall be so arrested whose name and address are known to the arresting officer.
- (ii) No person shall be so arrested who consents to give his or her name and address unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall be on the arresting officer.
- (iii) No person so arrested shall be detained after his name and address have been ascertained.
- (iv) No person so arrested shall, except under the orders of a Magistrate, be detained longer than may be necessary for bringing him before a Magistrate.

[Hyderabad Residency Order, 1897, Pt. I, p. 115.]

No. 77, dated the 10th December 1901.—In exercise of the power conferred by rule 4 (1) of the Secunderabad Cantonment Excise Rules, 1901, published under Government of India, Foreign Department, notification No. 3707-I.B., dated the 11th October 1901, the Resident is pleased to direct that the licenses and passes specified below shall be in the forms hereto attached.

### Form I.

FORM OF LICENSE FOR THE RETAIL SALE OF COUNTRY LIQUOR OR TAXI.

(Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.)

License is hereby granted to \_\_\_\_\_, son of \_\_\_\_\_ resident of \_\_\_\_\_, to sell country liquor or taxi by retail in his shop at \_\_\_\_\_ from this date up to the \_\_\_\_\_ subject to the provisions of the Secunderabad Cantonment Excise Rules, 1901, and on the following conditions, namely :—

1. That he will keep his shop closed between 9.30 o'clock at night and sunrise on the following morning.

2. That he will take his supplies of liquor from such distillery as the Cantonment Magistrate may direct, and bring them from the distillery to his shop by such route as the Cantonment Magistrate may direct, and that such supplies shall not be brought to his shop except under cover of a pass-book or of this license as prescribed by the rules in force.

3. That he will locate his shop in such site as may be approved of by the Cantonment Magistrate, and shall put up a board in a conspicuous place outside his shop on which the number of the shop and his name and the words "*Licensed dealer in country liquor*" shall be prominently exhibited in plain and legible characters both in English and in vernacular.

4. That he will not sell more than one ser of country liquor or four sers of tari to any person unless such person holds a special pass for a larger quantity.

5. That, if so required by the Cantonment Magistrate, he will keep a shop account of supplies of country liquor or tari received and sales of country liquor or tari made by him.

6. That he will not sell country liquor or tari on credit.

7. That he will not sell any country liquor or tari to any European soldier or enlisted camp follower attached to a British corps, and that on the requisition of the Cantonment Magistrate he will keep his shop closed so long as the Cantonment Magistrate may order when troops, whether European or Native, are on the march in the neighbourhood.

8. That if he should sublet his shop, he will have the name of the sub-lessee endorsed on this license, and will make this license over to him, and if the locality of the shop be changed, he will produce this license to the Cantonment Magistrate for the necessary correction in the heading to be made.

9. That he will not sell, or issue for consumption, any country liquor or tari in the consumption of which bad, deleterious, or damaged ingredients have been used, or which is unwholesome and injurious to health.

10. That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of liquor in any capacity whatsoever.

A breach of any of these conditions renders the licensee liable to the penalties prescribed by the rules, and on such breach this license may be cancelled.

(Signed) \_\_\_\_\_

Date \_\_\_\_\_

Cantonment Magistrate



The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g), Chapter VII, rules 41 and 42 of the Excise Rules, which are quoted below :—

**RULE 3. (d) "Liquor"** includes spirits of wine, methylated spirits, spirits, wine, tari, beer and all liquid consisting of or containing alcohol.

Liquor, not being country liquor, is sold in retail when sold in any quantity not exceeding 2 Imperial gallons, or 12 reputed quart bottles, and when sold in any larger quantity is sold wholesale.

(g) "Country Liquor" includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad.

**RULE 41.** Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or

(c) commits any act in breach of the conditions of his lease, license, pass, or permit not otherwise provided for by these rules, or

(f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs is or are sold or manufactured, or

(g) permits persons of notoriously bad character to meet or remain in any such shop or place or

(h) receives any wearing apparel or other effects in barter, for any liquor, opium, poppy-heads, or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees

**RULE 42.** Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads, or hemp drugs under these rules,—

(a) mixes, or permits to be mixed, with the liquor, opium, poppy-heads or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any articles prohibited by any rule made under rule 27, clause (f), or

(b) sells, or keeps or exposes for sale, as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,

shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both

## Form II.

FORM OF LICENSE FOR THE RETAIL SALE OF LIQUORS, OTHER THAN COUNTRY LIQUOR, TO BE DRUNK ON THE PREMISES.

(Rules 6 and 7 of the Sealand's Act Cantonment Excise Rules)

License for the retail sale of liquor to be drunk on the premises of his public house at \_\_\_\_\_ in the Cantonment of \_\_\_\_\_ is hereby

granted to \_\_\_\_\_ for the year ending \_\_\_\_\_ on the following conditions, namely :—

(1) That the annual fee of, Government Rs. 100 payable for this license he paid yearly in advance.

(2) That a signboard be put up by him in a conspicuous place outside his public house having his name and the words "Licensed to sell liquor to be drunk on the premises" painted on it.

(3) That no country liquor be mixed with the liquor which he is entitled to sell under this license.

(4) That no sale be made to any European soldier or enlisted camp follower attached to a British corps except under the written permission of a military officer having authority over such soldier or camp follower, which is to be produced at time of purchase.

(5) That no sale be made before sunrise or after 9-30 o'clock at night.

(6) That he will, if required to do so by the Cantonment Magistrate, keep an account of his sales, and will, when required, produce it for the inspection of the Cantonment Magistrate or any person authorized by the Cantonment Magistrate to inspect the account.

(7) That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of liquor in any capacity whatsoever.

(8) This license may be withdrawn on any breach of these conditions or of the rules under which it is granted.

(Signed) \_\_\_\_\_

Date \_\_\_\_\_

Cantonment Magistrate.

The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g) Chapter VII, rules 41 and 42, of the Excise Rules, which are quoted below :—

**RULE 3. (d)** "Liquor" includes spirits of wine, methylated spirits, spirits, wine, tari, beer, and all liquid consisting of or containing alcohol,

Liquor, not being the country liquor, is sold in retail when sold in any quantity not exceeding 2 Imperial gallons or 12 reputed quart bottles, and when sold in any larger quantity is sold wholesale.

**(g)** "Country Liquor" includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad.

**RULE 41.** Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

- (b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or
- (c) commits any act in breach of the conditions of his lease, license, pass, or permit not otherwise provided for by these rules, or
- (f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs are or are sold or manufactured, or
- (g) permits persons of notoriously bad character to meet or remain in any such shop or place, or
- (h) receives any wearing apparel or other effects in barter for any liquor, opium, poppy-heads, or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees.

RULE 42. Whoever, being the holder of a lease or license for the sale or manufacture of liquor, opium, poppy-heads, or hemp drugs under these rules,—

- (a) mixes, or permits to be mixed, with the liquor, opium, poppy-heads, or hemp drugs sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength or any article prohibited by any rule made under rule 27, clause (f), or
- (b) sells, or keeps or exposes for sale, as European or foreign liquor any liquor which he knows or has reason to believe to be country liquor,

shall be punishable with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

### Form III.

#### FORM OF LICENSE TO SELL LIQUORS OTHER THAN COUNTRY LIQUOR WHOLESALE AND RETAIL.

*(Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.)*

License to sell liquor wholesale and retail, or by auction, in his shop at \_\_\_\_\_ in the Cantonment of Secunderabad is hereby granted to \_\_\_\_\_ for the year ending \_\_\_\_\_ on the following conditions, namely:—

(1) That the annual fee of Government Rs. 100 payable for this license be paid yearly in advance.

(2) That a signboard be put up by him in a conspicuous place outside his shop having his name and the words "Licensed dealer in liquor not to be drunk on the premises" painted on it.

(3) That no country liquor be mixed with the liquor which he is entitled to sell under this license.

(4) That no sale be made to a European soldier or enlisted camp follower attached to a British corps except under the written permission of a military officer having authority over such soldier or camp follower, which is to be produced at time of purchase.

(5) That no sale be made before sunrise or after 9-30 o'clock at night.

(6) That he does not permit any bottle of liquor to be opened or any spirits or liquor to be drunk by a customer on the premises of his shop, nor sell to a customer any portion of a bottle of spirits or liquor.

(7) That he will keep an account of his sales and will, when required, produce it for the inspection of the Cantonment Magistrate or of any person authorized by the Cantonment Magistrate to inspect the account.

(8) This license may be withdrawn on any breach of these conditions or of the rules under which it is granted.

(Signed) \_\_\_\_\_

Date \_\_\_\_\_

Cantonment Magistrate.

The attention of the licensee is drawn to Chapter I, rule 3 (d) and (g) and Chapter VII, rules 41 and 42, of the Excise Rules, which are quoted below—

**RULE 3 (d)** "Liquor" includes spirits of wine, methylated spirits, spirits, wine, tan, beer, and all liquid consisting of or containing alcohol

Liquor is sold in retail when sold in any quantity not exceeding 2 Imperial gallons or 12 repeated quart bottles, and when sold in any larger quantity is sold wholesale.

(g) "Country Liquor" includes all liquor produced or manufactured in the territories of His Highness the Nizam of Hyderabad.

**RULE 41.** Whoever, being the holder of a lease, license, pass, or permit granted under these rules, or being the servant or agent of such holder,—

(a) fails to produce such lease, license, pass, or permit on the demand of any Excise Officer, or

(b) wilfully does, or omits to do, anything in contravention of these rules or of any rules made thereunder, or

(c) commits any act in breach of the conditions of his lease, license, pass, or permit, not otherwise provided for by these rules, or

(f) permits drunkenness, riot, or gaming in any shop or place in which any liquor, opium, poppy-heads, or hemp drugs is or are sold or manufactured, or

(g) permits persons of notoriously bad character to meet or remain in any such shop or place, or

(h) receives any wearing apparel or other effects in barter for any liquor, opium, poppy-heads, or hemp drugs sold to any person,

shall be punishable with fine which may extend to one hundred rupees,



Page 314.—After license form III published with notification No. 77, dated the 10th December 1901, *insert* the following, namely :—

### FORM III-A.

(Rules 5 and 7 of the Secunderabad Cantonment Excise Rules.)

#### FORM OF LICENSE FOR THE RETAIL SALE OF LIQUORS OTHER THAN COUNTRY - LIQUOR AT A MILITARY CANTEEN ESTABLISHED UNDER THE "CANTEEN TENANT SYSTEM."

License is hereby granted to \_\_\_\_\_ holder of a contract for  
the supply of liquors other than country liquor under the "canteen tenant  
system."

VII. That he do not wilfully adulterate or deteriorate any liquors sold by him, or sell the same knowing them to have been adulterated or deteriorated, or store or permit to be stored in his canteen any such liquor in an adulterated or deteriorated state.

*N B*—Tenants are permitted to store and sell spirituous liquor diluted with mineral water with the permission of the General Officer Commanding

VIII. That he do not rectify any spirits by purifying, colouring or flavouring them, or mixing any material with them

IX. That he sell no imported and locally made foreign spirits below the minimum strengths of 25° under proof for whisky, brandy, and rum and 35° under proof for gin.

X. That he do not receive any wearing apparel or other effects in barter for any excisable article the sale of which is covered by this license

XI. That he at once produce for inspection on demand of any Excise Officer specially or generally authorized by the Resident in this behalf this license and his accounts and that he do not prevent any Excise Officer of whatever grade from inspecting his canteen.

*N B*—A violation of any of the above conditions will render the holder liable to any of the penalties prescribed by the Secunderabad Excise Rules in force for the time being.

Dated the

19 .

Cantonment Magistrate.

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- \* (1) For regiments Rs. 24.
  - (2) For smaller units Rs. 12.

## Form VI.

FORM OF WHOLESALE VENDOR'S LICENSE FOR  
THE POSSESSION AND SALE OF OPIUM  
AND POPPY-HEADS.

(Rules 14, 15 and 16 of the Secunderabad Cantonment Excise Rules.)

License is hereby given to \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_, to possess opium, other than preparations or admixtures of opium used for smoking, and poppy-heads in excess of the quantity prescribed in rule 14 of the Secunderabad Cantonment Excise Rules, 1901, and to sell such opium and poppy-heads to persons holding similar licenses, and to licensed vendors of opium.

This license will remain in force from the \_\_\_\_\_ to the 31st March 190 .

(Signed) \_\_\_\_\_

Dated \_\_\_\_\_

Cantonment Magistrate.

## Form VII.

FORM OF LICENSED VENDOR'S LICENSE FOR SALE  
OF OPIUM, POPPY-HEADS, OR HEMP DRUGS.

(Rules 27 and 25 of the Secunderabad Cantonment Excise Rules.)

License is hereby granted to \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_, to possess opium, other than preparations or admixtures of opium used for smoking, poppy-heads, or hemp drugs in excess of the quantity prescribed in rules 14 and 26 of the Secunderabad Cantonment Excise Rules, 1901; to sell such opium, poppy-heads, or hemp drugs in any quantity to other persons holding similar licenses, or, in the case of opium and poppy-heads, to wholesale vendors in opium, and to sell to any other persons opium, other than preparations or admixtures of opium used for smoking, and poppy-heads or hemp drugs by *retail* in his shop at \_\_\_\_\_ from this date up to the \_\_\_\_\_, subject to the provisions of the Secunderabad Cantonment Excise Rules, 1901, and on the following conditions:—

1. That he will keep his shop closed between 9-30 o'clock at night and sunrise on the following morning.

2. That he will locate his shop on such site as may be approved of by the Cantonment Magistrate, and shall put up in a conspicuous place outside his shop a board on which the number of the shop and his name shall be prominently exhibited in plain and legible characters both in English and in Vernacular.

3. That he will not sell more than five sers of poppy-heads and five tolas of opium other than preparations or admixtures of opium used for smoking, or more than five tolas of ganji or charas or any preparation or admixture thereof, and one ser of bhang or any preparation or admixture thereof to any person unless such person holds a similar license, or a wholesale vendor's license, or special pass, for a larger quantity.

4. That, if so required by the Cantonment Magistrate, he will keep a shop account of supplies of opium or poppy-heads or hemp drugs received and sales made.

5. That he will not sell opium, poppy-heads, or hemp drugs on credit.

6. That if he should sublet his shop, he will have the name of the sub-lessee endorsed on this license and on the shop board, and will make this license over to him.

7. That he shall allow no one but the members of his own family or his servants to sleep in his shop at night.

8. That he shall not permit drunkenness, riot, or gaming in his shop, nor shall he permit the consumption of any intoxicating drug or its preparation in any form on the premises, nor shall he permit persons of notoriously bad character to meet and remain there, nor shall he receive any wearing apparel or household effects in harter or as a pledge for the payment of intoxicating drugs supplied.

9. That he shall produce for inspection his license on the demand of an Excise Officer.

10. That at the place for which this license is granted no female shall be employed in connection with, or take part in, the vending of opium, poppy-heads, or hemp drugs in any capacity whatsoever.

A breach of any of these conditions or of any of the rules under which this license is granted renders the licensee liable to the penalties prescribed by the rules, and on such breach this license may be cancelled.

(Signed) \_\_\_\_\_

Dated \_\_\_\_\_

Cantonment Magistrate.



COUNTERFOIL.

- |  |   |
|--|---|
| <p>1. Name of the person to whom the permit is granted _____, son of _____</p> <p>2. Date of granting _____</p> <p>3. Quantity possession of which is allowed<br/>acrs                      tolas</p> <p>4. Period for which this permit holds good.</p> <p>5. Signature or mark of the person granting the permit _____</p> | <p>1. Name of the person to whom the permit is granted _____, son of _____</p> <p>2. Date of granting _____</p> <p>3. Quantity possession of which is allowed<br/>acrs                      tolas.</p> <p>4. Period for which this permit holds good.</p> <p>5. Signature or mark of the person granting the permit _____</p> |
|--|---|

[*Hyderabad Residency Orders*, 1901, Pt. I, p. 370.]

Officers empowered to grant permits and a general pass to the Akbari Contractor for Secunderabad.

No. 22, dated 18th March 1911.—In exercise of the power conferred by 4 (1) of the Secunderabad Cantonment Excise Rules, 1901<sup>1</sup>, the Resident ceased to empower —

- (1) all Excise Officers (which expression includes the Police officers mentioned in *Residency Orders* notification No. 77, dated the 20th August 1904), the Abkari Inspector and Sub-Inspector of His Highness the Nizam's Government appointed within the Cantonment of Secunderabad (including Bolarum), and the wholesale Contractor of His Highness' Government for the said Cantonment to issue permits under rule 8 of the Secunderabad Excise Rules for the possession and transport of any quantity of country liquor exceeding one seer or of *tari* exceeding four seers.
- (2) the Cantonment Magistrate of Secunderabad to grant the Abkari Contractor of His Highness' Government for the said Cantonment a general pass, extending both to himself and his agents, for the import and export of country liquor or *tari* into and from the Cantonment of Secunderabad under rules 9 and 10 of the said rules.
- (3) the Cantonment Magistrate of Secunderabad to grant permits under rules 23 and 26 of the said rules for the export and possession of hemp drugs.

[Hyder's? Residence Orders, 1911, Pt. I, p. 91.]

No. 23, dated the 18th March 1911.—In exercise of the power conferred by rule 27 (g) of the Secunderabad Cantonment Excise Rules, 1901, the Resident is pleased to empower the Cantonment Magistrate of Secunderabad to dispose of all articles confiscated under the said rules. Disposal of confiscated articles.

[Hyderabad Residency Orders, 1911, Pt. I, p. 91.]

No. 29, dated the 3rd April 1911.—In supersession of Residency Orders notification No. 110, dated the 18th November 1910, it is hereby notified that under rule 28 of the Secunderabad Cantonment Excise Rules of 1901 the following Abkari officers of His Highness the Nizam's Government have been appointed Excise officers in the Cantonment of Secunderabad (including Bolarum) with powers under rules 32 and 33 of the said Rules :—

- (1) The Abkari Talukdar City and Cantonments.
- (2) The Abkari Inspector at Secunderabad.
- (3) The Abkari Sub-Inspector at Secunderabad.

[Hyderabad Residency Orders, 1911, Pt. I, p. 99.]

No. 77, dated the 26th August 1904.—In exercise of the powers conferred by rule 39 (1), clauses (a) and (b), of the Secunderabad Cantonment Excise Rules, 1901, the Resident is pleased to invest the following Police officers of the Secunderabad Cantonment Police with the powers specified against them— Police officers empowered to detain and arrest persons, seize articles and search places.

The District Superintendent, the Inspector and officers in charge of Police stations, and all Police officers of or above the rank of Head Constable, 1st grade . . . . .

Powers under Rules 32

### No. 33.

Page 319.—After No. 77, dated the 26th August 1904, insert the following :—

No. 75, dated the 2nd December 1913.—In exercise of the powers conferred by rule 39 (1), clauses (a) and (b), of the Secunderabad Cantonment Excise Rules, 1901, the Resident is pleased to invest the following police officers of the Aurangabad Cantonment Police with the powers specified against them :—

The District Superintendent, the Inspector and officers in charge of Stations (and all police officers of or above the rank of Head Constable, 1st grade).	}	Powers under rules 32 and 33.
--	---	-------------------------------

All police officers of whatever rank . . . Powers under rule 31,

[Hyderabad Residency Orders, 1913, Pt. I, p. 113.]

the Government of India in the Foreign Department, No. 4564-I., dated the 18th November 1891, and No. 3244-I.B., dated the 26th August 1897, but including those which are, or hereafter may be, occupied by the Hyderabad-Godaveri Valley Railway) as are, or may hereafter be, occupied by railways (including the lands occupied as stations, out-buildings, and for other railway purposes) over which power and jurisdiction have been ceded to the British Government:—

1. All things confiscated under the Hyderabad (Railway Lands) Opium Rules, 1903, except poppy, poppy-heads and opium, shall be disposed of by public auction under the orders of the District Magistrate for Railways.

\*

\*1

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 142].

payment of rewards  
out of proceeds of  
fines and confisca-  
tions.

No. 27, dated the 8th May 1903.—With reference to rule 12 (1) (b) of the Hyderabad (Railway Lands) Opium Rules, 1903<sup>1</sup>, published with notification of the Government of India in the Foreign Department, No. 698-I.B., dated the 13th February 1903, the Resident is pleased to make the following rules regarding the rewards to be paid to officers and informers out of the proceeds of fines and confiscations within such lands in His Highness the Nizam's territories (other than the Railway lands in the Hyderabad Assigned Districts and those referred to in the notifications of the Government of India in the Foreign Department, No. 4364-I., dated the 18th November 1891, and No. 3244-I.B., dated the 26th August 1897, but including those which are, or hereafter may be, occupied by the Hyderabad-Godaveri Valley Railway) as are, or may hereafter be, occupied by railways (including the lands occupied as stations, out-buildings, and for other railways purposes) over which power and jurisdiction have been ceded to the British Government:—

1. A Magistrate convicting an offender under rule 18 of the Hyderabad (Railway Lands) Opium Rules, 1903, may award to any person who has contributed in any way to the conviction the whole or any portion of any fine imposed upon the offender and paid by him or realised from his property.

2. If the fine is not realised, or only realised in part, the Magistrate may, within a limit of the hundred rupees, order payment of its full amount or of the unrealised balance, as the case may be, out of the treasury.

3. If the Magistrate is of opinion that a larger reward than he can give under this rule to a person who has contributed to the conviction ought to be given to that person, he may move the Resident through the District Magistrate for Railways to grant a larger reward.

<sup>1</sup> Cancelled by Notification No. 52, dated the 11th July 1905. *Hyderabad Residency Orders*, 1905, Pt. I, p. 126.

<sup>2</sup> Printed Vol. I, p. 323.

<sup>3</sup> See footnote 3 on the previous page.

4. A Magistrate or other officer ordering the confiscation of anything under rule 19 of the Hyderabad (Railway Lands) Opium Rules, 1903, may grant to any person who has contributed in any way to the seizure of the thing the whole or any portion of the value thereof, subject to such general or special orders as the Resident may issue in this behalf.

5. When an order for a reward is passed under rules, 1, 2, 3 and 4 of these rules a warrant shall at once be issued by the Magistrate or other officer on the treasury for the prompt disbursement of the amount awarded subject to the limit set forth in rule 2 of these rules.

6. In any case in which, in the opinion of the Resident, a person has performed service of special merit in respect of the prevention or detection of an offence against the Hyderabad (Railway Lands) Opium Rules the Resident may grant him a reward not exceeding five hundred rupees in amount.

7. The Resident or, with the sanction of the Resident, the District Magistrate for Railways, may incur expenditure not exceeding five hundred rupees in each case for the employment of informers or for any other purpose connected with the prevention or detection of offences against the Hyderabad (Railway Lands) Opium Rules, 1903.

[*Hyderabad Residency Orders*, 1903, Pt. I, p. 142.]

Hyderabad Residency Bazaars and Cantonments Arms Law, 1903.

*No. 1436-G., dated the 28th July 1911.*—In exercise of the powers conferred by sections 3, 6, 11 and 21 of the Hyderabad Residency Bazaars and Cantonments Arms Law, 1903, and in supersession of all previous notifications thereunder the Governor General in Council is pleased to make the subjoined rules relating to arms, ammunition, and military stores:

Hyderabad Residency Arms Rules, 1911.

Provided that all exemptions, exclusions, or withdrawals made, all licenses or duplicates granted or renewed, all fees imposed, levied, remitted, or reduced and all powers conferred by or under any notification hereby superseded, and in force at the commencement of this notification, shall so far as they are consistent herewith be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced, or conferred hereunder.

## THE HYDERABAD RESIDENCY ARMS RULES, 1911.

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*Possession and going armed.*

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8. Possession of fire-arms, ammunition, or military stores and going armed.

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---

*The Rules.*

1. These rules may be called the Hyderabad Residency Arms Rules, 1911.

Short title,

- 2 In these rules, unless there is anything repugnant in the subject or

Interpretation.

context, all words and expressions which are defined in the *Clauses General Act, 1897*, as applied to the Hyderabad Residency Bazaars and the Cantonments of Aurangabad and Secunderabad, shall have the meanings respectively assigned to them thereby, and the provisions of sections 9, 10, and 13 to 19 of the said Act shall be deemed to apply as if these rules were an enactment made by the Governor-General in Council after the commencement of the said Act.

*Application of the Law.*

Exemption, exclusion and withdrawal. 3. (1) Under section 21—

(a) the persons and classes of persons, and

(b) the arms and ammunition,

specified or described in Schedules I to III are, respectively, exempted,

excluded, and withdrawn, to the extent there indicated from the operation of prohibitions and directions contained in the law.

(2) The exemptions specified in Schedule I are conferred subject to the condition that they shall not be deemed to render lawful the bringing of arms or ammunition through the medium of the Post Office into the areas to which these rules apply from the areas of the Hyderabad State directly administered by His Highness the Nizam.

#### *Import.<sup>1</sup>*

4. For import of arms, ammunition or military stores from British India,  
 Import from British India. a copy of the export license granted under the Indian Arms Rules, 1909, shall be deemed to be an import license under section 5 of the law.

#### *Export.<sup>1</sup>*

5. For export to British India a copy of the import license issued  
 Export to British India. under the Indian Arms Rules, 1909, shall be deemed to be an export license under section 5 of the law.

#### *Manufacture and Sale.*

Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.

6. (1) A license—

(a) to manufacture, convert, sell or keep and sell, or

Form I.

(b) to keep and sell,

Form II.

any arms, ammunition, or military stores may, save as otherwise provided by sub-rule (2), be granted by the Superintendent of the Hyderabad Residency Bazaars or the Cantonment Magistrate of Aurangabad or Secunderabad.

(2) A license—

(a) to manufacture, convert, sell or keep and sell, or

Form III.

(b) to keep and sell,

Form IV.

breech-loading rifles, rifle ammunition, or military stores for rifles shall not be granted save by the Resident, provided that no such license will be granted in the case of the rifles of .303 and .450 bore, or of ammunition which can be fired from such rifles.

(3) Every Magistrate and every police officer not below the rank of Sub-Inspector may within the local limits of his authority,—

(a) enter and inspect any premises in which arms or ammunition, or military stores including sulphur, are manufactured, converted, sold, or kept and sold, and

(b) examine the stock and accounts of receipts and sales of arms, ammunition, or military stores.

<sup>1</sup> See Schedule III.

*Possession and going armed.*

Restrictions upon possession of cannon and certain other articles

7. No license shall be granted for the possession of—

- (a) cannon,
- (b) war-rockets, or
- (c) machinery for the manufacture of arms or ammunition.

rm V.

8. Save as otherwise provided in rule 7, a license for the possession of fire-arms, ammunition, or military stores, and for going armed for sport, protection, or display, may be granted by the Resident or an officer authorised by the Resident.

*Application for and grant of licenses.*

9. Every person who wishes to obtain a license under these rules shall apply in writing to the nearest authority empowered to grant such license and shall in such application furnish all such particulars as may be necessary to enable such license to be granted.

10. (1) Every license shall be granted or renewed in the appropriate form set forth in Schedule IV, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the license shall alone be covered thereby.

(2) Every such license shall be written or printed in English.

11. (1) Save as herein otherwise provided, every license under these rules shall, unless previously forfeited, be in force for such period and expire on such day as, subject to any restrictions or limitations, imposed by the appropriate form set out in Schedule IV, the authority granting it may enter thereon.

(2) Every license may at its expiration be renewed by the authority who granted it.

Discretion and control of authorities empowered to grant licenses.

12. (1) Every authority empowered to grant or renew a license may in his discretion

- (a) refuse to grant or renew such license, or
- (b) refer the application for orders to the Resident.

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the Resident.

Obligation to produce license.

(1) Any person who—

(a) holds a license granted or renewed under these rules, or

(b) is acting under colour of such a license or pass,

shall forthwith produce such license upon the demand of any Magistrate or of any police officer of a rank not below that of officer in charge of a police station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to grant or renew it upon any condition not inconsistent with the said sub-rule, with respect to the production of such license.

### *Fees.*

14. (1) Every license granted or renewed under these rules shall, save as herein otherwise expressly provided, be charge-  
*Fees payable for licenses.* able with the fee (if any) indicated in the appropriate form set forth in Schedule IV.

(2) The Resident may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any license issued under these rules.

15. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such license may grant a duplicate—  
*Fees payable for duplicates.*

(a) where the original license was granted without the payment of any fee, free of all fee ;

(b) where such original license was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the amount ;

(c) in any other case, on payment of a fee of one rupee.

16. (1) All the fees payable under rule 14 or rule 15 shall be collected by  
*Collection and refund of fees.* impressed stamps.

(2) The application may be written upon an impressed stamp of a value equal to such fee and in such case the license or duplicate shall be granted or renewed on plain paper, or, the license may be written upon an impressed stamp, to be supplied by the applicant, of a value equal to such fee and in such case the application may be written on plain paper.

(3) Where a fee of not less than one rupee payable under these rules has been collected and the application for the grant or renewal of a license or duplicate is refused, the value of the fee shall be refunded, upon application for the same being made within two months from the date of such refusal.



**SCHEDULE I.**  
**PERSONS EXEMPTED.**  
*(Rule 3.)*

The persons or classes of persons specified or described in the first column of the subjoined table are exempted in respect of arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the law as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column:—

*The Table.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions
1. All persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 16 of the Indian Arms Act, XI of 1878.	In respect of such arms and ammunition as are defined in the Indian Arms Rules, 1905, Schedule 1.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities, if any, as the Resident may declare to be reasonable for him to carry or possess.	Those contained in sections 8 to 10
2. The retainers of the undermentioned nobles and high officials of the Hyderabad State:—	All except—  (a) cannon. (b) war-rockets (c) rifles and ammunition of 303 and 450 bores other than rifles and ammunition of such bores lawfully imported by them	Do.	Do
(i) Maharaja Peshkar Sir Kishan Parshad Bahadur, G.C.I.E., Yamlo-us-Saltana. (ii) Nawab Faidur-ul-Mulk Bahadur. (iii) Nawab Iftikar-ul-Mulk Bahadur. (iv) Nawab Khan-i-Khanan Bahadur. (v) Nawab Salar Jang Bahadur (vi) Nawab Muhammad Moim-ud-din Khan Bahadur. (vii) Nawab Wali-ud-din Khan Bahadur. (viii) Nawab Asaf Yawar-ul-Mulk Bahadur. (ix) Nawab Faridnu Jang Bahadur, C.I.E., Private Secretary to the Minister to His Highness the Nizam	Do	Do.	Those contained in sections 8 to 10 unless the prosecution is sanctioned by the Resident.
3. All subjects of His Highness the Nizam not permanently residing in the areas to which these rules apply.			

## SCHEDULE II.

## (RULE 3.)

*Arms, Ammunition, and Military stores excluded.*

2. Within the area specified in the first column of the subjoined table the arms, ammunition, and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the law as are indicated in the third column.

*The Table.*

Area.	Arms and ammunition.	Prohibitions and directions.
The Hyderabad Residency Bazaars and the Cantonments of . . . . . and Secunderabad.	Bows and arrows . . . . .	All
	<p>their uniforms.</p> <p>Swords imported for presentation as Army or Volunteer prizes; and ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords, and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes</p> <p>Toy cannon weighing less than 56 lbs and having—</p> <p>(a) a calibre of less than one inch.</p> <p>(b) a length of bore of less than 24 inches.</p> <p>(c) the interior of the bore unrifled</p>	<p>Do.</p> <p>Do.</p>

## SCHEDULE III.

## (RULE 3)

*Arms, Ammunition, and Military stores exempted.*

3. The arms, ammunition, and military stores described in the subjoined table are exempted from the prohibitions and directions contained in section 5

*The Table.*

1. All arms, ammunition, and military stores brought into the Hyderabad Residency Bazars and the Cantonments of Secunderabad and Aurangabad from the areas of the Hyderabad State directly administered by His Highness the Nizam, except through the medium of the Post Office.

2. All arms, ammunition, and military stores taken out of the Hyderabad Residency Bazars or the Cantonment of Secunderabad and Aurangabad into the areas of the Hyderabad State directly administered by His Highness the Nizam.

## SCHEDULE IV.

FORM No. I.

Rule 6 (1) (a).

FEE—TWENTY RUPEES IN STAMPS.

*License to manufacture, convert, sell, or keep and sell, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition, or military stores for rifles.)*

Serial No. of license.	Name, description, and residence of licensee.	Place of business, factory, or shop.	Description of arms.		Description of ammunition or military stores.		Date on which the license expires.
			To be manufactured or converted.	To be sold or kept for sale.	To be manufactured.	To be sold or kept for sale.	
							The 31st December 19 .

The \_\_\_\_\_ 19 . }

(Signature.)


 Seal.

*Form of renewing the license.*

<i>Date and year of renewal.</i>	<i>Date on which the renewed license expires.</i>	<i>Signature of the Licensing officer.</i>

**SCHEDULE IV.**

**Form No. 1—continued.**

*Conditions.*

This license is given subject to the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the rules thereunder.

2. The license-holder shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his register on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory, or shop a sign-board on which shall be painted in large letters in English his name and the words "Licensed to manufacture (or licensed to deal in) arms, ammunition, and military stores," as the case may be.

(2) He shall also affix in his place of business, factory, or shop a copy of section 22 in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition or military stores to any person who—

- (a) is not licensed to possess such arms, ammunition, or military stores,  
or

(b) is not declared under Schedule I, clauses 1 and 2, of the Arms Rules, exempt from the operations of sections 8 to 10 of the Law.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description, and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall not sell ammunition to any person licensed to possess or carry arms, in excess of the maximum which may be fixed by the Resident for such person and which is endorsed on his license.

8. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business, factory, or shop specified in column 3

9. He shall not sell arms, ammunition, or military stores to a native officer, non-commissioned officer, or soldier of the Indian Army unless such native officer, non-commissioned officer, or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. He shall not keep Government arms, ammunition, or military stores or, unless he is specially authorised in this behalf by the Resident, keep or sell revolvers or magazine pistols.

*Explanation.*—For the purpose of this condition—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government of India or of His Highness the Nizam; and

(b) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory or prepared for and supplied to the Government of India or of His Highness the Nizam.

11. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

## SCHEDULE IV.

## Form No. II.

## Rule 6 (1) (b).

FEE—TEN RUPEES IN STAMPS.

*License to keep and sell arms, ammunition, or military stores (other than breech-loading rifles, rifle ammunition, or military stores for rifles).*

Serial No. of license.	Name, description, and residence of licensee.	Place of business or shop.	Description of		Date on which the license expires.
			Arms	Ammunition or military stores.	
					The 31st December 191 .

(Signature.)

The \_\_\_\_\_ 19 . }

Seal

*Form of renewing the license.*

Date and year of renewal.	Date on which the renewed license expires	Signature of the Licensing Officer

## SCHEDULE IV.

Form No. II—*continued*.*Conditions.*

1. This license is granted subject to the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the rules thereunder.

2. The license-holder shall maintain registers of all arms, ammunition, and military stores in stock and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his register on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a sign-board on which shall be painted in large letters in English his name and the words "Licensed to deal in arms, ammunition, and military stores."

(2) He shall also affix in his place of business or shop a copy of section 22 in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores, or

(b) is not declared under Schedule I of the Arms rules, clauses 1 and 2, exempt from the operation of sections 8 to 10 of the Law.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description, and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall not sell ammunition to any person licensed to possess or carry arms, in excess of the maximum quantity which may be fixed by the Resident for such person and which is endorsed on his license.

8. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business or shop specified in column 3.

9. He shall not sell arms, ammunition, or military stores to a native officer, non-commissioned officer, or soldier of the Indian Army, unless such officer, non-commissioned officer, or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. He shall not keep Government arms, ammunition, or military stores or, unless he is specially authorised in this behalf by the Resident, keep or sell revolvers or magazine pistols.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government of India or of His Highness the Nizam; and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government of India or of His Highness the Nizam.

11. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

#### SCHEDULE IV.

##### FORM No. III.

##### Rule 6 (2) (a).

**FEE.**—WHERE THE LICENSEE HOLDS A LICENSE IN FORM I FREE OF ALL CHARGE; IN ALL OTHER CASES, TWENTY RUPEES IN STAMPS.

*License to manufacture, convert, sell or keep and sell breech-loading rifles, rifle ammunition, or military stores for rifles.*

Serial No of license	Name description, and residence of licensee	Place of business, factory, or shop	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license expires
			To be manufactured or converted	To be sold or kept for sale	To be manufactured	To be sold or kept for sale	
							The 31st December 19 .

(Signature)

The \_\_\_\_\_ 19 .

Seal.

*First Assistant Resident.*



*Form of renewing the license.*

Date and year of renewal,	Date on which the renewed license expires.	Signature of the First Assistant Resident.

## SCHEDULE IV.

FORM No. III—*continued.**Conditions.*

1. This license is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the rules thereunder.

2. The license-holder shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory, or shop a sign-board, on which shall be painted in large letters in English his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition, and military stores for rifles."

(2) He shall affix in his place of business, factory, or shop a copy of section 22 in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores, or

(b) is not declared under Schedule 1 of the Arms rules, clauses 1 and 2, exempt from the operation of sections 8 to 10 of the law.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description, and residence of the person who takes delivery of the article or articles sold,

(b) the nature and quantity of the article or articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall not sell breech-loading rifles, rifle ammunition, or military stores for rifles elsewhere than at the place of business, factory, or shop specified in column 3.

8. He shall not keep Government arms, ammunition, or military stores

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government of India or of His Highness the Nizam; and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory or prepared for and supplied to the Government of India or of His Highness the Nizam.

9. He shall not sell arms, ammunition, or military stores to a native officer, non-commissioned officer, or soldier of the Indian Army, unless such native officer, non-commissioned officer or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

## SCHEDULE IV.

## FORM No. IV.

## Rule 6 (2) (b).

FEE.—WHERE THE LICENSEE ALREADY  
HOLDS A LICENSE IN FORM II, FREE  
OF ALL CHARGE ; IN ALL OTHER CASES  
TEN RUPEES IN STAMPS.

*License to keep and sell breech-loading rifles, rifle ammunition, or military  
stores for rifles.*

Serial No. of license.	Name, descrip- tion, and resid- ence of licensee.	Place of business or shop.	DESCRIPTION OF		Date on which the license expires.
			Arms.	Ammunition or military stores.	
					The 31st December 19 .

(Signature.)

The \_\_\_\_\_ 19 . }

Seal.

*First Assistant Resident.*

*Form of renewing the license.*

Date and year of renewal.	Date on which the renewed license expires.	Signature of the First Assistant Resident.

## SCHEDULE IV.

Form No. IV.—*continued.**Conditions.*

1. This license is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the rules thereunder.

2. The license-holder shall maintain registers of all arms, ammunition, and military stores in stock and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his register on the demand of any Magistrate or any police officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix, on a conspicuous part of his place of business or shop, a sign-board on which shall be painted in large letters in English and in the vernacular his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition, and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 22 in English.

5. Save with the express permission of the Resident he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores; or,

(b) is not declared under Schedule I of the Arms rules, clauses 1 and 2, exempt from the operation of sections 8 to 10 of the Law.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description, and residence of the person who takes delivery of the article or articles sold;

(b) the nature and amount of the article or articles sold; and

(c) the date of sale

and shall sign the endorsement.

7. He shall not sell arms, ammunition, or military stores elsewhere than at the place of business or shop specified in column 3.

8. He shall not keep Government arms, ammunition, or military stores.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government of India or of His Highness the Nizam; and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any

Government factory or prepared for and supplied to the Government of India or of His Highness the Nizam.

9. He shall not sell arms, ammunition, or military stores to a native officer, non-commissioned officer, or soldier of the Indian Army, unless such native officer, non-commissioned officer, or soldier produce a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

#### SCHEDULE IV.

##### Form No. V.

(Rule 8.)

FREE OF ALL FEE

*License for the possession of fire-arms, ammunition or military stores, and for going armed for the purpose of sport, protection, or display.*

1	2	3	4	5	6
Serial No. of license.	Name, description and residence of licensee and agent (if any).	Arms, ammunition or military stores that licensee is entitled to possess.		District or place within which the license is valid.	Date on which the license expires.
		Description.	Quantity.		
			Name of retailer.		
			of retailer's lot.		
			Address of retailer.		
			Arms, ammunition, or military stores that retailer is entitled to possess.		

The \_\_\_\_\_

*Form for renewal of the license.*

Date and year of renewal.	Date on which the renewed license expires.	Signature.

*Conditions.*

1. This license is granted subject to all the provisions of the Hyderabad Residency Bazars and Cantonments Arms Law, 1903, and the rules thereunder.

2. It covers only the persons named and the arms, ammunition, and military stores described therein and such retainers, if any, as may be entered in column 4.

3. It extends only to the Residency Bazars and the Cantonments of Secunderabad and Aurangabad.

4. The licensee or any retainer acting under this license shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of sport, protection, or display.

5. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely—

(a) the name, description, and residence of the person who takes delivery of the articles purchased ;

(b) the nature and quantity of the articles purchased ; and

(c) the date of purchase

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Resident.

7. Save where the Resident directs the omission of this condition he shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the license.

8. He shall not possess Government arms and ammunition.

*Explanation.*—For the purposes of this condition, " Government arm " means a fire-arm or other weapon which is the property of the Government.

9. The licensee or retainer acting under the license shall observe such

**No. 50.**

*Page 339.—Insert the following at the end :—*

Maximum quantity of arms and ammunition which a retired military officer may possess.

*No. 92, dated the 27th November 1914.*—With reference to the entry in column 3 against item I in Schedule I of the Hyderabad Residency Arms Rules, 1911, the Resident is pleased to declare that one gun or rifle and one hundred rounds of ammunition shall be the maximum quantity of fire arms and ammunition which it is reasonable for any Indian officer, warrant officer or non-commissioned officer retired from His Majesty's Indian Forces to carry or possess.

*His Excellency the Resident, Hyderabad.*

road Can- No. 61, dated the 25th June 1907.—In exercise of the powers conferred  
and Resi- by section 11 of the Secunderabad Cantonment and the Residency Bazars  
Bazars Motor-vehicles Law, 1906, the Resident is pleased to make the following  
cles rules, viz. :—  
cles Rules,

## RULES.

### *I—Preliminary.*

1. (1) These rules may be called the Motor-vehicles Rules, 1907.  
Short title, extent, and definition.
- (2) They shall extend to the whole of the Cantonment of Secun-  
derabad and the Hyderabad Residency Bazars.
- (3) In these rules—
  - (a) “the Law” shall mean the Secunderabad Cantonment and the  
Residency Bazars Motor-vehicles Law, 1906;
  - (b) the expression “motor-cycle” means a two, three or four-wheeled  
cycle propelled by mechanical means, fitted with seats, but with-  
out a carriage body and weighing not more than 5 cwt.;
  - (c) the expression “heavy motor-vehicle” means a motor-vehicle of  
Heavy motor-vehicle. two or more tons in weight, unladen;
  - (d) the expression “trailer” means any vehicle drawn by a motor-  
Trailer. vehicle;
  - (e) the expression “axle weight” means, in relation to an axle of a  
Axle weight heavy motor-vehicle or of a trailer, the  
aggregate weight transmitted to the surface  
of the road or other base whereon the heavy motor-vehicle, or  
the trailer moves or rests by the several wheels attached to that  
axle when the heavy motor-vehicle or trailer is loaded;
  - (f) the expression “registered axle weight” means in relation to an  
Registered axle weight. axle of a heavy motor-vehicle, the axle  
weight of that axle as registered by the  
licensing authorities in pursuance of the rules;
  - (g) the expression “weight” in relation to a heavy motor-vehicle or  
Weight. trailer when unladen means the weight of  
the vehicle exclusive of the weight of any  
water, fuel or accumulators used for the purpose of propulsion

## II. Registration.

2. (1) No motor-vehicle shall be used unless it has been first registered by the registering authority, and any motor-vehicle which has been already registered in accordance with any other enactment in force for the time being in any part of British India shall, if intended for use in the area to which these rules apply, be registered within seventy-two hours :

Registration.

Provided that no person shall be liable under this rule if he has had no reasonable opportunity of registering the motor-vehicle in accordance therewith :

Proviso

Provided, also, that it shall not be necessary to re-register vehicles which have already been registered under the Law, or in the Hyderabad State.

(2)<sup>1</sup> [The fee for registration shall be rupees four for motor-cycles and rupees sixteen for all motor-vehicles other than those intended to ply for hire and the fee for motor-vehicles that are kept or ply for hire shall be rupees three for each passenger which the vehicle is licensed to accommodate.] There shall be no fee for re-registering motor-vehicles which have been already registered under any other enactment in force in British India.

3. (1) The registering authority shall assign a distinguishing number to the motor-vehicle and shall record the name and address of the owner.

Number, transfer of ownership, etc.

(2) Numbers assigned to motor-vehicles other than motor vehicles intended to ply for hire shall be shown in white figures on a black ground, and in the case of motor-vehicles intended to ply for hire shall be shown in white figures on a red ground.

(3) The numbers shall be of the following dimensions painted on a plate which shall be rigidly affixed in a conspicuous place on the back of the motor and on the back of any vehicle drawn by the motor-vehicle :—

Height of each figure  $3\frac{1}{2}$  inches, uniform thickness  $\frac{3}{4}$  inch, each figure occupying a space of  $2\frac{1}{2}$  inches with 1 inch between each figure, and a margin of  $\frac{1}{2}$  inch at the top, bottom and sides of the plate

Provided that in the case of motor-cycles the figure may not be less than two-thirds of the above dimensions.

Proviso

<sup>1</sup> Substituted by notification No 36-J, dated the 12th April 1910 *Hyderabad Revenue Orders*, 1910, Pt. I, p. 41.



(4) No number shall in any way be obscured, or rendered, or allowed to become, not easily discernible at a reasonable distance.

(5) Every transfer of ownership shall forthwith be intimated to the registering authority by the registered owners, and for every such transfer the fee shall be rupee one in the case of a motor-cycle and rupees three for any other motor-vehicle.

(6) The registering authority may assign to a manufacturer of, or dealer in motor-vehicles, on payment of an annual fee of rupees thirty, a general number which, together with a distinguishing alphabetical letter of the same dimensions as the numbers, shall be affixed as laid down in rule (3) to any motor-vehicle when on trial after completion, or when on trial by any intending purchaser: Provided that such motor-vehicle shall not ply or be let for hire unless it has been separately registered under rule 2.

4 (1) Before registering a motor-vehicle the registering authority shall be satisfied (a) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor-vehicle whether going forwards or backwards; (b) that it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

(2) Before registering a heavy motor-vehicle the registering authority shall also satisfy himself that the tyres of the wheels of the vehicle, if the tires are not pneumatic, or are not made of a soft or elastic material, are of the dimensions required by the special rules for heavy motor-vehicles, and may also have the weight of the heavy motor-vehicle, and, if he thinks necessary, the axle weight of each wheel ascertained in such manner as he may by general or special order direct.

(3) The registering authority may accept the certificate of the District Superintendent of Police that the requirements of sub-rule (1) and, where that applies, sub-rule (2) are, in any particular case, in his opinion specially complied with.

5. Where the registering authority, at any time after a motor vehicle has been registered, considers, on the report of any District Superintendent of Police or otherwise, that it has ceased to comply with the requirements of sub-rule (1) of rule 4, or, if the vehicle is a heavy motor-vehicle, any of the special rules for heavy motor-vehicles, or that it has not been maintained in such a condition as to prevent danger to the public, such registering authority may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction.

### III.—General.

6. A motor-vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep to the left of the road except when passing horses and other vehicles going in the same direction which should be passed on the right.

7. (1) Under no circumstances shall a motor-vehicle be driven within the limits of the Secunderabad Cantonment and of the Residency Bazaars at a greater speed than twenty-five miles an hour :

Provided also that, within such limits as the Cantonment Magistrate of Secunderabad and the Superintendent of the Residency Bazaars may indicate by means of notice boards, motor-drivers shall not allow the speed to exceed six miles an hour or such higher rates as may be shown on the board.

(2) The speed at which a heavy motor-vehicle is driven on any public road shall not exceed seven miles an hour :

Provided that—

- (a) if the weight of the motor-vehicle unladen exceeds three tons ;  
or,
- (b) if the registered axle weight of any axle exceeds six tons ; or,
- (c) if the heavy motor-vehicle draw a trailer

the speed shall not exceed five miles an hour :

Provided ; also that—

If the heavy motor-vehicle has all its wheels fitted with pneumatic tyre or with tyres of a soft or elastic material, the speed at which the heavy motor-vehicle may be driven on any public road shall not exceed—

- (a) twelve miles an hour where the registered axle weight of any axle does not exceed six tons ;
- (b) seven miles an hour where such registered axle weight exceeds six tons.

8. A motor-vehicle shall not be driven on any footway, nor shall such be driven on any road or public place where such traffic may, for the time being, be prohibited by the licensing authority.

9. (1) The person in charge of a motor-vehicle shall obey all directions of Police officers posted or stationed at crossing or other places for the regulation of traffic and shall cause the motor-vehicle to stop and to remain stationary so long as may reasonably be necessary—

- (a) when requested to do so by any Police officer for the purpose of ascertaining his name and address or for any other reasonable purpose ; or,

(iii) The sum of the registered axle weights of all the axles of a heavy motor vehicle shall not exceed ten tons.

20. The tyres of each wheel of a heavy motor-vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material, shall be smooth and shall, where the tyre touches the surface of the road or other base whereon the heavy motor-vehicle moves or rests, be flat, provided that the edges of the tyre may be bevelled or rounded to the extent in the case of each edge of not more than half-an-inch.

21. The width of the tyre of each wheel of a heavy motor-vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material, shall in every case be not less than 5 inches, or in the case of a trailer 3 inches.

When the axle weight of an axle of a heavy motor-vehicle is—

3 tons the width of the tyre shall not be less than 5 inches.

4 tons	"	"	"	9	"
--------	---	---	---	---	---

5 tons	"	"	"	10	"
--------	---	---	---	----	---

6 tons	"	"	"	11	"
--------	---	---	---	----	---

7 tons	"	"	"	12	"
--------	---	---	---	----	---

22. The diameter of a wheel of a heavy motor-vehicle or trailer, if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material, shall be not less than two feet.

23. A heavy motor-vehicle, if its weight unladen is three tons, and any trailer drawn by any such heavy motor-vehicle may, when measured between its extreme projecting points, be of a width not exceeding seven feet six inches.

24. Every heavy motor-vehicle and trailer shall be constructed with suitable and sufficient springs between each axle and the frame of the heavy motor-vehicle.

25. A trailer drawn by a motor-vehicle shall have a brake approved by the licensing authority, and the trailer shall carry upon it a person competent to apply the brake efficiently, provided that where the brakes upon the motor vehicle by which the trailer is drawn are so constructed and arranged that neither of them can be used without bringing into action simultaneously the brake attached to the trailer, or if the brake of the trailer can be applied from the motor-vehicle independently of the brakes of the latter, the above conditions need not be complied with.

26. A heavy motor-vehicle which is used as public conveyance shall not draw a trailer.

Vehicles for the conveyance of passengers.

27. (i) Where the registering authority affixes or sets up in suitable and

conspicuous position, on each approach to a bridge, forming part of a highway, notices which, as regards all their contents or subject-matter, shall be clearly and distinctly legible and visible by persons approaching the bridge, and which state that the bridge is insufficient to carry a heavy motor-vehicle, the registered axle weight of which exceeds that specified in the said notice board, the owner of any such heavy motor-vehicle shall not cause or suffer the motor-vehicle to be driven, and the person driving in charge of the motor-vehicle shall not drive the motor-vehicle, upon the bridge.

(ii) The owner of a motor-vehicle shall not cause or suffer the motor-vehicle to be driven, nor shall the person driving or in charge of the motor-vehicle drive the motor-vehicle, upon a bridge forming part of a highway at any time when another motor-vehicle or a locomotive is on the bridge, the combined weights of which would exceed the carrying capacity of the bridge.

28. No heavy motor-vehicle shall be driven in any street or road, wherein such traffic may for the time being be prohibited by the Cantonment Magistrate of Secunderabad or the Superintendent of the Residency Bazzars.

29. Every applicant for registration of a heavy motor-vehicle shall make a declaration in the form of Schedule D and append it to his application for registration.

#### *T. Forms.*

30. Every application for a license under section 5, sub-section (2) of the Law, shall contain the particulars specified in Schedule A.

Application for license.

31. Every license granted under section 5, sub-section (2) of the Law shall be in the form of Schedule B.

License.

32. Every application for registration shall contain the particulars specified in Schedule C.

Application for Registration

33. All notice boards posted at the sides of the roads under these rules or under section 13 of the Law shall be painted red with the notices inscribed in white letters sufficiently large to be easily legible.

## SCHEDULE A.

*Particulars to be given by applicant for license to drive (see Rule 30).*

1. Full name of applicant.
2. Postal address of residence of applicant.
3. Whether applicant is over eighteen years of age.
4. Whether applicant holds, or has at any time previously held, a license.
5. Particulars of any license which applicant holds, or which he has previously held.
6. Particulars of any endorsement on any license which applicant holds, or which he has previously held.

## SCHEDULE B.

*Form of License (see Rule 31).*

Fee Rupees Two (Rs. 2) only

No.            of 19    .

Motor-vehicle License granted under section 5, sub-section (2) of the Secunderabad Cantonment and the Residency Bazaars Motor-vehicle Law, 1900.

\_\_\_\_\_ (Name) \_\_\_\_\_ of \_\_\_\_\_  
(Address) \_\_\_\_\_ is hereby licensed to drive a motor-vehicle  
for the period of twelve months ending on the 31st December 191    .

(Signature) \_\_\_\_\_

19    .

*Dated*

*Registering Authority.*

## SCHEDULE C.

*Application for Registration (see Rule 32).*

- 1 Full name of owner.
2. Postal address of usual residence of owner.
3. Description or type of motor-vehicle.
4. Type and colour of body of vehicle.
- 5.1 Weight unladen.
- 6.1 Axle weight.
- 7.1 Diameter of wheels.
- 8.1 Width and material of tyres.
9. Maximum speed.
10. Number of cylinders.

---

<sup>1</sup> Information to be given only in the case of a heavy motor-vehicle or trailer.

11. Horse power.
12. Whether intended for—
  - (a) private use;
  - (b) use for trade purposes ;
  - (c) use as a public conveyance.

#### SCHEDULE D.

*Application for Registration of a heavy Motor-vehicle (see Rule 29).*

#### DECLARATION.

I hereby declare that the following particulars in relation to the motor-vehicle or trailer to which my application relates are true to the best of my knowledge and belief :—

- (1) Weight of my heavy motor-vehicle or trailer unladen.
- (2) Axle weights.
- (3) Diameter of each wheel.

[*Hyderabad-Residency Orders, 1907, Pt. I, p 89.*]

*No. 74-J., dated the 22nd November 1909.*—Not reprinted.

[*Hyderabad Residency Orders, 1909, Pt. I, p 268.*]

*No. 69, dated the 29th July 1912* —Not reprinted.

[*Hyderabad Residency Orders, 1912, Pt. I, p 106.*]

Closure of " Parl Lane, " Secunderabad to motor traffic and restriction on speed of motor vehicles crossing it.

Restriction on speed of motor-vehicles in certain streets in Secunder.

#### No. 34.

*Page 349.*—After entry relating to No. 69, dated the 29th July 1912, insert the following :—

Registering  
Authority for motor-  
vehicles in  
Secunderabad.

*No. 31-J., dated the 31st March 1914.*—In exercise of the powers conferred on him by section 2 (3) of the Secunderabad Cantonment and the Residency Bazars Motor-Vehicles Law, 1906, the Resident is pleased to appoint the District Superintendent of Police of Secunderabad to be the Registering

#### No. 45.

*Page 349.*—After entry relating to No. 69, dated the 29th July 1912 insert the following :—

*No. 77, dated the 21st September 1914.*—In exercise of the powers conferred by section 11 and section 12, clauses (a) and (4) of the Secunderabad Cantonment and the Residency Bazars Motor Vehicles Law, 1906, the Resident is pleased to order that motor vehicles shall not be driven through Meadows Barracks (The Entrenchment), Trimalgherry, at a speed exceeding 8 miles an hour.

[*Hyderabad Residency Orders, 1914, Pt. I, p. 175.*]

Motor  
under  
subject  
to certain conditions.

Cantonment of Amangabad and the Railway Medical Officer in the case of the Railway lands administered by the Resident.

2. A fee of rupee one shall be charged in the form of a court-fee stamp for a license granted under Rule 1. Such license shall remain in force up to the 31st December of the year in which it is granted, and shall be renewable thereafter on the payment of a like fee.

3. Passes for the importation of intoxicating drugs and for the transport ~~of the same~~ <sup>of the same</sup> respectively may be granted by the

### No. 36.

*Page 350.*—In rule 3 of the rules published with notification No. 65-J., dated the 21st June 1912, for the words "District Magistrate" substitute "First Assistant Resident."

(Notification No. 18-J., dated the 23rd February 1914.)

[*Hyderabad Residency Orders*, 1914, Pt. I, p. 14.]

1. Name of intoxicating drug.

2. Quantity sold.

3. Date of sale.

4. Name of purchaser.

5. Address of purchaser.

6. Purpose for which the intoxicating drug is required.

7. Signature of purchaser (or where purchaser is illiterate, his thumb mark).

8. Signature of vendor.

6. (a) No licensed druggist shall possess Morphia, Cocaine or Cocaine substitutes in excess, at any one time, of the following amounts, viz:—

(1) Morphia . . . . . 3 oz.

(2) Cocaine, including Cocaine substitutes . . . . . 4 oz.

(b) No medical practitioner shall possess Morphia, Cocaine or Cocaine substitutes in excess, at any one time, of the following amounts, viz:—

(1) Morphia . . . . .  $\frac{1}{2}$  oz.

(2) Cocaine and Cocaine substitutes . . . . . 1 oz.

- (c) A person other than a medical practitioner or a licensed druggist is authorised to possess only such quantity of any intoxicating drug as may have been prescribed for him by a medical practitioner.

7. All intoxicating drugs specified in clauses (a) and (b) of Rule 6 shall be kept in a separate locked almirah or box which shall have the words "Intoxicating Drugs" in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the intoxicating drug contained in it, and shall also have the words "Intoxicating Drug" in English and vernacular painted upon it in red letters.

8. No intoxicating drugs shall be kept otherwise than in securely-closed receptacles of glass, tin or earthenware.

9. A licensed druggist or medical practitioner shall maintain in respect of each intoxicating drug, specified in Rule 6, a stock register which shall contain the following particulars:—

- (a) Serial number.
- (b) Date.
- (c) Amount received.
- (d) Name and address of person from whom received.
- (e) Amount sold.
- (f) Balance in stock.
- (g) Remarks.

10. Any intoxicating drugs confiscated under the Hyderabad Intoxicating Drugs Law, 1911, shall be disposed of in such manner as the local medical authority may direct.

[*Hyderabad Residency Orders, 1912, Pt. I, p 49*]



Cantonment of Aurangabad and the Railway Medical Officer in the case of the Railway lands administered by the Resident.

2. A fee of rupee one shall be charged in the form of a court-fee stamp for a license granted under Rule 1. Such license shall remain in force up to the 31st December of the year in which it is granted, and shall be renewable thereafter on the payment of a like fee.

3. Passes for the importation of intoxicating drugs and for the transport ~~of them~~ respectively may be granted by the

### No. 36.

Page 350.—In rule 3 of the rules published with notification No. 65-J., dated the 21st June 1912, for the words "District Magistrate" substitute "First Assistant Resident."

(Notification No. 18-J., dated the 23rd February 1914.)

[Hyderabad Residency Orders, 1914, Pt. I, p. 14.]

1. Name of intoxicating drug.

2. Quantity sold.

3. Date of sale.

4. Name of purchaser.

5. Address of purchaser.

6. Purpose for which the intoxicating drug is required.

7. Signature of purchaser (or where purchaser is illiterate, his thumb mark).

8. Signature of vendor.

6 (a) No licensed druggist shall possess Morphia, Cocaine or Cocaine substitutes in excess, at any one time, of the following amounts, viz:—

(1) Morphia . . . . . 3 oz.

(2) Cocaine, including Cocaine substitutes . . . . . 4 oz.

(b) No medical practitioner shall possess Morphia, Cocaine or Cocaine substitutes in excess, at any one time, of the following amounts, viz:—

(1) Morphia . . . . .  $\frac{1}{2}$  oz.

(2) Cocaine and Cocaine substitutes . . . . . 1 oz.

## CHAPTER II.

**KASHMIR AGENCY.**

Orders under Special Laws.

*Nil*<sup>1</sup><sup>1</sup> Excluding the railway lands which are dealt with in Volume V.



## CHAPTER III.

## MYSORE.

## CIVIL AND MILITARY STATION OF BANGALORE.

Orders under Acts locally applied.

*No. 799-572-89, dated the 28th February 1894.*—Not re-printed.*[Gazette of India, 1894, Pt. II, p. 221.]**No. 1353, dated the 8th March 1905.*—Not re-printed.*[Gazette of India, 1905, Pt. II, p. 300.]**No. 5504 and No. 5508, dated the 25th September 1905.*—Not re-printed.*[Gazette of India, 1905, Pt. II, p. 1208.]*

*Bombay Act*  
*Bombay Survey*  
*Settlement Act*  
 Act extended to  
 Doddakunta  
 (Kayanagutta)  
 village.  
 Ditto to Nilasur  
 (Inam) village.  
 Ditto to Dodd  
 Binnamangala  
 Byadarhalli.

*No. 267, dated the 14th November 1870.*—The following Rules, Rules prescribed under Section XXXV of the Survey Act, Bombay Act I of 1865, which was extended to Mysore under the authority of the Government of India, Foreign Department, on the 30th April 1869, are published for general information.

*Rules prescribed under Section XXXV of Bombay Act I of 1865 and passed by Government on 1st November 1865.*

I.	*	*	*	*	*
II.	*	*	*	*	*
III.	*	*	*	*	*

IV. The [Collector], with the sanction of the [Resident in Mysore] will allot those portions of the [Civil and Military Station of Bangalore] to be allotted by [Collector] into classes, and fines levied

Portions of [the Civil and Military Station of Bangalore] to be allotted by [Collector] into classes, and fines levied

in addition to the ordinary assessment, fines will be leviable according to the following scale of rates

Class						Rate per acre.	
I.	.	.	.	.	.	100	} or 30 times the fixed assessment, whichever of the two may be the greater.
II.	.	.	.	.	.	75	
III.	.	.	.	.	.	50	
IV.	.	.	.	.	.	25	

V. The fine leviable shall, as a rule, be calculated on the entire area of a

Calculation of fines  
 Provision.

survey number, or recognised share of a number; provided, however, that in cases

where a large area is concerned, the [Collector] may fix a special rate to be charged for the number applied for

<sup>1</sup> These Rules were made for the Mysore State. On the rendition and the assignment of the Civil and Military Station, they were kept in force in the latter area by clause (1) of the Mysore No. 126 G.P., dated the 26th April 1881. Printed No. 1, 1 416, 1881. The Mysore placed in [ ] or replaced by [ ] represent amendments introduced in the letter of the Government of India, No. 3514, dated the 25th October 1887.

## VI. Occupants of Government land may take, without fee, material

Materials may be taken by occupants of Government land for certain purposes.

Exception.

from their own fields for the construction of farm buildings, wells, tanks, and for agricultural works of all kinds; but not for purposes of sale or trade. -

## VII. Occupants in \*

Procedure to be observed by occupants wishing to appropriate lands to purposes unconnected with agriculture.

\* who are desirous of appropriating their lands to purposes unconnected with agriculture, or of removing material from their own fields for purposes of trade, must first obtain, through the Amildar, the permission of the

[Collector], who will grant it on the terms fixed in Rule IV.

## VIII. The rates fixed in Rule IV as a payment for the privilege of

Rates fixed in Rule IV to be applicable to building sites.  
Proviso.

removing material shall be held to be applicable also to cases where land is appropriated for building sites; provided however, that

with respect to buildings erected, or in course of erection, before the passing of Bombay Act No. I of 1865, the levy of the rate will be held in abeyance, during the currency of the present lease. \* \*

## IX. The right of removing material from unoccupied assessed land, or

Right of removing material from unoccupied assessed or unassessed lands to be disposed of by [Collector]

from unassessed Government waste, will, as a general rule, be disposed of by the [Collector] by sale at public auction.

## X. Where special circumstances exist which render the ordinary rules

Discretionary power to the [Collector] in dealing with exceptional cases

inapplicable, it shall be competent to the [Collector] with the sanction of the [Resident in Mysore], to fix a special rate, which may

be either greater or less than the rates fixed by Rule IV, or to accept an offer for lands coming under Rule IX instead of selling the right of removal by public auction.

[Mysore Gazette, 1870, Pt I, p 151.]

68.

the right  
in  
waste

No. 5522, dated the 4th September 1919.—Under the provisions of section XI of Bombay Act IV of 1868, as in force in the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the disposal of the right of occupancy in Government waste lands situated within the limits of the said Civil and Military Station.

1. All applications for the occupancy right of waste lands should be made to the Collector of the Civil and Military Station and should be in writing on plain paper. They must specify clearly the land required.

They may be made at any time of the year, but no application can be received except in respect of lands which are actually at the time unoccupied, or have been occupied without proper sanction, or have been formally relinquished though not actually vacated.

2. If the Collector considers that there is no *prima facie* objection to the entertainment of the application, the latter should be referred through the Amildar to the village authorities for report. On receipt of the application, the village authorities should at once enter the same in a Register in Form A appended to these rules, and after due enquiry, should send to the Amildar without delay a memorandum in duplicate in Form B appended hereto. The Amildar should then, in his turn, forward the memorandum to the Collector with his remarks.

3. If, on perusal of the Village Officer's report and the Amildar's remarks thereon, the Collector considers the grant of the occupancy right applied for to be unobjectionable, he shall, unless otherwise ordered by the Resident, cause the occupancy right to be sold by public auction. Notice of such sale shall be issued in English, Tamil, Canarese and Hindustani in Form C appended hereto and exhibited in the Collector's office for at least one month prior to the sale, as well as in some conspicuous place in the village in which the land is situate and also on the land itself. The proposed sale shall also be proclaimed by beat of drum in the village concerned.

4. An upset price may, if the Collector thinks fit, be fixed in respect of every occupancy right to be sold by public auction. Any person may bid at such auction. The occupancy right shall be knocked down to the highest bidder above the upset price, if any, fixed, subject to formal confirmation by the Resident. The purchaser at the auction will be liable to pay the assessment fixed for the land.

5. After the auction has been completed, the Collector shall report the sale to the Resident for confirmation, and pending such confirmation no action should be taken for giving possession of the land or for entering the name of the purchaser in the Register of Revenue holdings. Any objections to or representations regarding such sale should be preferred to the Resident within 30 days from the date of auction. The Collector should arrange to communicate to the parties interested the final orders which may be passed in each case.

6. No appeal shall lie against the decision of the Resident in cases disposed of under these rules.

7. The Resident may, at his discretion, dispose of the occupancy right of any assessed waste land otherwise than by public auction.

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Exception.

from their own fields for the construction of farm buildings, wells, tanks, and for agricultural works of all kinds; but not for purposes of sale or trade.

## VII. Occupants in \*

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[Collector], who will grant it on the terms fixed in Rule IV.

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be either greater or less than the rates fixed by Rule IV, or to accept an offer for lands coming under Rule IX instead of selling the right of removal by public auction.

[*Mysore Gazette*, 1870, Pt. I, p. 181.]

Act IV of 1869.

Rules for the disposal of the right of occupancy in Government waste lands.

No. 5822, dated the 4th September 1909.—Under the provisions of section XI of Bombay Act IV of 1868, as in force in the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the disposal of the right of occupancy in Government waste lands situated within the limits of the said Civil and Military Station.

1. All applications for the occupancy right of waste lands should be made to the Collector of the Civil and Military Station and should be in writing on plain paper. They must specify clearly the land required.

They may be made at any time of the year, but no application can be received except in respect of lands which are actually at the time unoccupied, or have been occupied without proper sanction, or have been formally relinquished though not actually vacated.

2. If the Collector considers that there is no *prima facie* objection to the entertainment of the application, the latter should be referred through the Amildar to the village authorities for report. On receipt of the application, the village authorities should at once enter the same in a Register in Form A appended to these rules, and after due enquiry, should send to the Amildar without delay a memorandum in duplicate in Form B appended hereto. The Amildar should then, in his turn, forward the memorandum to the Collector with his remarks.

3. If, on perusal of the Village Officer's report and the Amildar's remarks thereon, the Collector considers the grant of the occupancy right applied for to be unobjectionable, he shall, unless otherwise ordered by the Resident, cause the occupancy right to be sold by public auction. Notice of such sale shall be issued in English, Tamil, Canarese and Hindustani in Form C appended hereto and exhibited in the Collector's office for at least one month prior to the sale, as well as in some conspicuous place in the village in which the land is situated and also on the land itself. The proposed sale shall also be proclaimed by beat of drum in the village concerned.

4. An upset price may, if the Collector thinks fit, be fixed in respect of every occupancy right to be sold by public auction. Any person may bid at such auction. The occupancy right shall be knocked down to the highest bidder above the upset price, if any, fixed, subject to formal confirmation by the Resident. The purchaser at the auction will be liable to pay the assessment fixed for the land.

5. After the auction has been completed, the Collector shall report the sale to the Resident for confirmation, and pending such confirmation no action should be taken for giving possession of the land or for entering the name of the purchaser in the Register of Revenue holdings. Any objections to or representations regarding such sale should be preferred to the Resident within 30 days from the date of auction. The Collector should arrange to communicate to the parties interested the final orders which may be passed in each case.

6. No appeal shall lie against the decision of the Resident in cases disposed of under these rules.

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with respect to buildings erected, or in course of erection, before the passing of Bombay Act No. I of 1865, the levy of the rate will be held in abeyance during the currency of the present lease. \* \*

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be either greater or less than the rates fixed by Rule IV, or to accept an offer for lands coming under Rule IX instead of selling the right of removal by public auction.

[Mysore Gazette, 1870, Pt. I, p. 181.]

Act IV of 1868.

Rules for the disposal of the right of occupancy in Government waste lands.

No. 5822, dated the 4th September 1909.—Under the provisions of section XI of Bombay Act IV of 1868, as in force in the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the disposal of the right of occupancy in Government waste lands situated within the limits of the said Civil and Military Station.

1. All applications for the occupancy right of waste lands should be made to the Collector of the Civil and Military Station and should be in writing on plain paper. They must specify clearly the land required.

They may be made at any time of the year, but no application can be received except in respect of lands which are actually at the time unoccupied, or have been occupied without proper sanction, or have been formally relinquished though not actually vacated.

2. If the Collector considers that there is no *prima facie* objection to the entertainment of the application, the latter should be referred through the Amildar to the village authorities for report. On receipt of the application, the village authorities should at once enter the same in a Register in Form A appended to these rules, and after due enquiry, should send to the Amildar without delay a memorandum in duplicate in Form B appended hereto. The Amildar should then, in his turn, forward the memorandum to the Collector with his remarks.

3. If, on perusal of the Village Officer's report and the Amildar's remarks thereon, the Collector considers the grant of the occupancy right applied for to be unobjectionable, he shall, unless otherwise ordered by the Resident, cause the occupancy right to be sold by public auction. Notice of such sale shall be issued in English, Tamil, Canarese and Hindustani in Form C appended hereto and exhibited in the Collector's office for at least one month prior to the sale, as well as in some conspicuous place in the village in which the land is situate and also on the land itself. The proposed sale shall also be proclaimed by beat of drum in the village concerned.

4. An upset price may, if the Collector thinks fit, be fixed in respect of every occupancy right to be sold by public auction. Any person may bid at such auction. The occupancy right shall be knocked down to the highest bidder above the upset price, if any, fixed, subject to formal confirmation by the Resident. The purchaser at the auction will be liable to pay the assessment fixed for the land.

5. After the auction has been completed, the Collector shall report the sale to the Resident for confirmation, and pending such confirmation no action should be taken for giving possession of the land or for entering the name of the purchaser in the Register of Revenue holdings. Any objections to or representations regarding such sale should be preferred to the Resident within 30 days from the date of auction. The Collector should arrange to communicate to the parties interested the final orders which may be passed in each case.

6. No appeal shall lie against the decision of the Resident in cases disposed of under these rules.

7. The Resident may, at his discretion, dispose of the occupancy right of any assessed waste land otherwise than by public auction.

## FORM A.—REGISTER. [Vide Rule 2 above.]

Serial number.	Date of receipt of application by the village officer.	Name of the applicant.	Description of the land.	Extent.	Assessment.	Date of submission to the Amildar of the memorandum in Form B.	Date of receipt of duplicate of the memorandum in Form B containing the final orders in the case.	Whether the occupancy applied for is sold or otherwise disposed of.	REMARKS
1	2	3	4	5	6	7	8	9	10

## FORM B.—MEMORANDUM. [Vide Rule 2 above.]

NUMBER AND DATE OF APPLICATION FOR OCCUPANCY.		Name of applicant.	Name of the village in which he resides	Description of the land applied for.	Survey number and letter of the land.	Extent of the whole field.	Assessment of the whole field.	Where part only of a field is applied for, the extent of that part.	Assessment of extent in column 9	Number, description and value of the trees, buildings, etc., on the land.	Whether (1) a right of easement exists and (2) the nature of such right	(2) a right of way is necessary	Whether any objections exist to the grant of the occupancy right of lands on the following grounds:— (1) Exercise for Government, village or other special purposes. (2) Presence of valuable minerals or chances of building stone, valuable trees, etc.	Date when received by the Amildar with his remarks.	Date when received by the Collector together with his order.	Final order with date and by whom passed.	Date on which the memorandum was received back by village officer.	General remarks.
Number.	Date.																	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

## FORM C.—NOTICE. [Vide Rule 3 above.]

Notice is hereby given that the occupancy right in the waste land hereunder specified which has been applied for by

Page 359.—After notification No. 5822, dated the 4th September 1909, insert the following:—

No. 42, dated the 17th June 1914.—Under the provisions of section 14 of the Places of Public Resort Act, 1888 (Madras Act II of 1888), as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the grant in the said station of licenses under section 7 of the said Act. These rules shall come into force from the 1st August 1914.

Madras Act II of 1888, as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the grant in the said station of licenses under section 7 of the said Act. These rules shall come into force from the 1st August 1914.

### *Rules under the Places of Public Resort Act, 1888.*

NOTE.—These rules do not apply to places or buildings under military control used for functions or entertainments given under such control.

I. Licenses for places of public resort or entertainment which may be Annual and granted under section 7 of the Places of Public Resort Act, 1888, shall be of temporary licenses two classes:—(1) annual and (2) temporary. Temporary licenses will be granted for periods not exceeding three months at any one time. Annual licenses shall be granted only in respect of buildings which are not constructed of inflammable materials but temporary licenses may be issued in respect of such buildings, when they are required only for occasional use as places of public resort or entertainment. Temporary licenses only may be issued for thatched buildings or buildings constructed of wood or mats or other inflammable materials and for tents. Licenses of either description may, however, be granted for the use of open walled enclosures which have no roof or superstructure. A license once granted may be renewed at the discretion of the authority competent to grant it.

II. Whenever any license as described in rule I above is granted or renewed, a fee shall be charged according to the scale laid down below:—

For an annual license .... Rs. 5 for an area of 1,000 square feet or less, with an additional fee of Rs. 1-8-0 for every 500 square feet or fraction thereof in excess of 1,000.

other inflammable material and no tent shall be licensed unless it is situated in an open space. Provided that the District Magistrate may at his discretion grant licenses to such buildings as a special case. No portion of such structure should be less than 50 yards from the nearest adjoining building.

Number, size and description of exits.

IV. No place of public resort shall be licensed under the Act unless—

- (a) it has at least two main exits of not less than 10 feet in width. Where these exits are closed by doors, the doors shall open outwards. These main exits shall be so arranged that they can be pushed open easily and at once from inside;
- (b) when the area of the building or enclosure exceeds 1,000 square feet, at least one additional special exit per 500 square feet of additional space of a width not less than 8 feet shall be provided in the exterior walls of the building or enclosure at suitable distances apart. Such special exits may be closed whilst the

*No. 835, dated the 2nd April 1886.*—The provisions of Act XX of 1847 (regarding Copyright of Books) and Act XXV of 1867 (for the regulation of Printing Presses and of Periodicals, for the preservation of copies of books printed in British India, and for the registration of such books) having been formally declared,<sup>1</sup> under the authority of the Governor General of India in Council, to apply to the Civil and Military Station of Bangalore, the following revised rules, in supersession of those contained in the Resident's notification No. 14, dated 15th January 1885, are hereby prescribed by the Officiating Resident in Mysore under the provisions of section 20 of the latter Act:—

1. One copy of every work printed or lithographed in the Civil and Military Station of Bangalore shall, under the provisions of section 9 of Act XXV of 1867, be delivered by the printer [free of expense to Government]<sup>2</sup> to the Collector and District Magistrate of the Civil and Military Station of Bangalore, together with a memorandum containing the following particulars:—

- (1) The title of the book and the contents of the title page, with a translation into English of such title and contents, when the same are not in the English language;
- (2) The language in which the book is written;
- (3) The name of the author, translator, or editor of the book or any part thereof;
- (4) The subject;
- (5) The place of printing and the place of publication;
- (6) The name or firm of the printer and the name or firm of the publisher;
- (7) The date of issue from the press or of the publication;
- (8) The number of sheets, leaves, or pages;
- (9) The size;
- (10) The first, second, or other number of the edition;
- (11) The number of copies of which the edition consists;
- (12) Whether the book is printed or lithographed;
- (13) The price at which the book is sold to the public;
- (14) The name and residence of the proprietor of the copyright or of any portion of such copyright; and
- (15) The date on which the copyright was registered.

<sup>1</sup> See new notification No. 732-D, dated the 12th March 1913. Printed Vol. I, p. 329.

<sup>2</sup> Added by notification No. 1427-1583, dated the 25th April 1894. *Gazette of India*, 1904 Part II, p. 425.

2. On receipt of the copy of the work as well as of the prescribed memorandum, the Collector and District Magistrate shall give a receipt in writing for the copy so received and shall enter the particulars stated in such memorandum in a book to be kept in his office, entitled "Catalogue of Books printed in the Civil and Military Station of Bangalore."

\* \* \* \*

3. In order to secure the copyright of the work delivered, the proprietor may, in accordance with the last clause of section 18 of Act XXV of 1867, pay the sum of two rupees to the Collector and District Magistrate, who will thereupon grant a receipt for the same and remit the amount to the Resident's Treasury.

4. Prosecution for infringement of the provisions of Act XXV of 1867 shall be instituted by such officer as the Resident may appoint in each case upon information received from the Collector and District Magistrate.

5. The Collector and District Magistrate shall, at the close of each quarter, furnish the Assistant to the Resident in Mysore with a true extract from the catalogue of books kept by him under rule 2 of this notification, giving all the particulars regarding each book as specified in rule 1 above, a note being made in the column of remarks stating briefly the nature or character of the work referred to. The Collector and District Magistrate shall retain the copy of the work supplied to him under rule 1 of this notification in his office in a special library.

6. The works registered during the quarter in the said catalogue shall be arranged in the quarterly extract referred to in the preceding rule in strict conformity with the instructions contained in the Resolution of the Government of India, Home Department, No 1—462, dated 12th September 1882, and the quarterly extract shall be forwarded to the Assistant to the Resident in Mysore as soon as possible after the end of such quarter for publication in the *Gazette of India*, in accordance with the provisions of section 19 of Act XXV of 1867.

[*Gazette of India*, 1886, Pt. II, p. 189.]

No. 4692, dated the 25th September 1900 —In exercise of the authority conferred upon him by section 34 of Act V of 1861 (an Act for the Regulation of Police) as applied to the Civil and Military Station of Bangalore by notification<sup>1</sup> No. 2253, of the Government of India in the Foreign Department,

Police Act, 1861.  
Application of s.  
to the Civil and  
Military Station.

<sup>1</sup> Omitted by notification No 1497-1585, dated the 26th April 1934, *Gazette of India*, 1934, Part II, p. 422.

<sup>2</sup> Superseded by notification No 732-D., dated the 19th March 1912, paragraph II of which keeps this notification in force. Printed Vol. I, p. 350.

## No. 51.

Foreigners Act,  
1861.  
Period of applica-  
tion of section 5 and  
subsequent sections.  
Exemptions.

Page 362.—Before the entry relating to No. 835, dated the 2nd April 1886, insert the following:—

No. 1443-I.B, dated the 14th August 1914.

No. 1444-I.B, dated the 14th August 1914.

Printed in Appendix XX.

Court-fees Act, 1870.

(as to fees for,  
remuneration  
persons employed  
the service and  
execution of processes  
Civil Courts.

No. 261, dated the 10th January 1880.—The following rules as to (1) the fees chargeable for serving and executing processes issued by the Civil Courts, and (2) the remuneration of the peons and all other persons employed in the service and execution of processes, having been made by the [Resident in Mysore] and sanctioned by the Governor-General in Council are hereby published under section 20 of the Court-fees Act, 1870:—

1. For, and in respect of, the service of a process issuing from the [Civil Court of the Civil and Military Station of Bangalore] sitting as a Court of Small Causes, there shall be payable by the party, at whose instance such process is to be served, a fee of the amount specified in Schedule No. I annexed to these Rules, and such process shall not be served or executed until such fee shall have been duly paid.

2. For, and in respect of, the service and execution of a process issuing from [the Civil Court on the Regular side] there shall be payable by the party at whose instance such process is to be served a fee of the amount specified in Schedule No. II attached to these Rules, and such process shall not be served or executed unless such fee shall have been duly paid.

3. All processes shall be served or executed by a separate establishment, which shall consist of Amins and Peons.

4. There shall be two grades of Amins, remunerated by salaries of Rupees 16 and 14 respectively and two grades of peons remunerated by salaries of Rupees 8 and 7 respectively. \* \* The proportion of Amins in the higher grade \* \* shall not exceed one to two in the lower grade, and the proportion of peons in the higher grade shall not exceed one to three in the lower grade. \* \* In exceptional cases, and with the previous sanction of the [Resident in Mysore], travelling allowance may be given in addition to salary.

5. Should the amount of fees levied under these Rules \* not be equal to the amount of expenditure incurred in remuneration of process servers, the [Resident in Mysore] may, at all times, reduce the rates of remuneration allowed by the preceding Rule.

\* For Note 1 on page 355 *supra* applies equally to these rules.

6. The establishment of Amins and Peons, and the service and execution of all processes shall be subject to the superintendence of the Nazir of [the] Court, and it shall be lawful to the [Resident in Mysore], where the state of the funds permit, to assign an allowance not exceeding Rs20 per mensem to such Nazir as remuneration for his superintendence.

### SCHEDULE NO. I.

#### [ In Small Causes.]

	R	s.	p.
1. Summons to defendant . . . . .	0	8	0
And for every additional defendant, if applied for at the same time, and if defendant resides in the same neighbourhood.	0	4	0
2. Summons to a witness . . . . .	0	8	0
And for every additional witness, if applied for at the same time, and if the witness resides in the same neighbourhood.	0	4	0
3. Warrant of arrest . . . . .	1	0	0
4. Proclamation of attachment or sale. . . . .	0	8	0
5. Warrant of attachment of moveable * property . . . . .	1	0	0
6. Warrant of delivery of possession of moveable property — * . . . . .			
If no attachment has taken place . . . . .			The fee for attachment of said property.
If attachment has taken place . . . . .	0	8	0
7. Injunction, order or notice not otherwise provided for . . . . .	0	8	0

N.B.—(1) When it is found necessary to employ more than one Amin or Peon (as, for instance, where property is situated in different places) double fees are to be charged.

(2) When it is necessary to appoint a custodian of the property attached under Section 269† of the Civil Procedure Code, an additional fee at the same rate shall be levied from the party on whose application the warrant was issued at the end of five days, and for every additional period of five days or less, during which the property is kept under attachment.

### SCHEDULE II.

#### [ In other than Small Causes.]

	R	s.	p.
1. Summons or notice to defendant or respondent . . . . .	1	0	0
And for every additional defendant or respondent, if applied for at the same time, and if defendant or respondent resides in the same neighbourhood . . . . .	0	8	0
2. Summons to a witness . . . . .	1	0	0
And for every additional witness, if applied for at the same time, and if witness resides in the same neighbourhood . . . . .	0	8	0
3. Warrant of arrest . . . . .	2	0	0
4. Proclamation of attachment or sale. . . . .	1	0	0
5. Warrant of attachment of moveable or immovable property . . . . .	2	0	0

† See now Rules 43 and 45, Order XXI of the Code of Civil Procedure, 1903 (Act V of 1903), Printed General Acts, Volume VI, Ed. 1903, page 133



SCHEDULE II—*contd.*

6. Warrant of delivery of possession of property (moveable or immovable)—		R a. p.
If no attachment has taken place . . . . .		The fee for attachment of said property.
If attachment has taken place—		
For moveable property . . . . .		1 0 0
For immovable property . . . . .		2 0 0
7. Injunction, order, or notice not otherwise provided for . . . . .		1 0 0

*N.B.*—(1) When it is found necessary to employ more than one *Amin* or *Peon* (as, for instance, where property is situated in different places) double fees are to be charged.

(2) When it is necessary to appoint a custodian of the property attached under Section 269† of the Code of Civil Procedure, an additional fee at the same rate shall be levied from the party on whose application the warrant was issued at the end of 10 days, or for every additional period of 10 days or less, during which the property is kept under attachment.

[ *Mysore Gazette*, 1880, Pt. I, p. 5.]

al process

*No. 3679, dated the 8th July 1902.*—The following rules having been made and confirmed by the Resident in Mysore under section 20 of the Court-fees Act, 1870 (VII of 1870), as applied to the Civil and Military Station of Bangalore by the notification of the Government of India in the Foreign Department, No. 2252-I., dated the 7th August 1888, and sanctioned by the Governor-General in Council, are hereby published for general information, namely :—

On and after the 1st September 1902, all payments for the service of processes by the Criminal Courts in the Civil and Military Station of Bangalore shall, in the case of offences other than offences for which the police may arrest without warrant, be collected, save as hereinafter otherwise provided, according to the rates fixed in the sub-joined schedule :—

## SCHEDULE.

	R a. p.
1. Summons to accused . . . . .	0 8 0
And for every additional accused if applied for at the same time, and if resident in the same neighbourhood . . . . .	0 4 0
2. Summons to a witness . . . . .	0 4 0
3. Warrant of arrest . . . . .	0 8 0
4. Notice, order or warrant not otherwise provided for . . . . .	0 8 0

Provided that, where a warrant remains unexecuted for fifteen days after its

† See now rules 43 and 45, Order XXI of the Code of Civil Procedure, 1908 (Act V of 1908), Printed General Acts, Vol. VI, Ed. 1909, p. 133.

<sup>1</sup> Superseded by notification No. 732-D, dated the 19th March 1913, paragraph II of which keeps this notification in force. Printed Vol. I, p. 390.

delivery to the officer entrusted with its execution, an additional fee at the same rate shall, unless the delay is due to any officer of the Court, be levied from the party at whose instance the warrant was issued for every fifteen days or portion of fifteen days until return is made. Provided also that no fees shall be levied on processes issued upon complaints which being instituted by public servants, municipal officers or officers or servants of a railway company, are declared, by section 19, clause XVIII, of the Court-fees Act, 1870 (VII of 1870), not to be chargeable with any fee.

[*Gazette of India*, 1902, Pt. II, p. 763.]

<sup>1</sup> No. 262, dated the 10th January 1880.—The following Rules as to the number of officers to be employed for the service and execution of processes have been made by the [Resident in Mysore] under section 22 of the Court-fees Act, 1870, and approved by the Governor-General in Council:—

Strength of  
process-serving  
establishment.

[1. The Amins and Peons to be employed in the Civil Court, Civil and Military Station of Bangalore, shall be in number sufficient for the execution of the average number of processes required to be executed for three years, each Amin being for this purpose considered capable of executing one hundred processes and each peon capable of executing two hundred processes, provided that the Resident in Mysore may, on sufficient cause, modify the rate above mentioned.]

3. Where it appears to the [Civil] Judge that the number of processes issued out of [his] Court has increased so as to render an increase of establishment necessary, he shall be competent to make the requisite increase in the number of Amins or Peons: and if there shall be a diminution of processes and if he shall be satisfied that the processes of [his] Court can be executed by a smaller number of Amins or Peons, or if it appears that the costs and charges exceed the receipts, it shall be his duty to make a reduction accordingly: provided that intimation of all changes effected under this Rule shall be reported to the [Resident in Mysore] for sanction, and that all extra officers appointed shall be placed on the temporary establishment, until such time as it is evident that it is necessary to place them on the ordinary establishment.

4. It shall also be competent to [the Civil Judge], to appoint special Peons for the service or execution of any individual process or for the custody of property attached, when the work cannot be performed by the ordinary establishment without unreasonable delay. Such special Peons shall be remunerated at the rate of 4 annas per diem.

[*Mysore Gazette*, 1880, Pt. I, p. 7.]

<sup>1</sup> Footnote 1 on page 355 *supra* applies equally to these Rules.

6. Subject to rule 7, every licensed vendor who purchases stamps from the Government by payment of ready money, shall receive such discount, not exceeding 2 *per cent.*, as may from time to time be prescribed by the Resident.

7. No discount shall be given if the number or value of stamps purchased at one time is less than the minimum number or value which the Resident may from time to time prescribe in this respect: provided that no discount shall be given on account of the purchase of any stamp exceeding Rs50 in value.

8. Every licensed vendor shall at all times exhibit outside the place of vend a conspicuous board bearing his name, with the words "Licensed Vendor of Court-fee Stamps," in English and in Canarese. He shall also keep in the place of vend a copy of the Court-fees Act, 1870 (VII of 1870), as applied to the Civil and Military Station, and a copy of these rules, together with translations thereof in Canarese, in such a manner that they can readily be seen and read by purchasers.

9. Every stamp vendor shall write on the back of every stamp paper which he sells, a serial number, the date of sale, the name and residence of the purchaser, the value of the stamp in full in words and his own ordinary signature. The serial number shall begin with the first stamp paper sold in the official year and end with the last.

10. In the blank space left on adhesive stamps, the stamp vendor shall insert the name of the purchaser, the date of sale and his own ordinary signature.

11. An endorsement made under rule 9 or 10 may not be altered. If an incorrect endorsement has been inadvertently made, the stamp paper or the adhesive stamp, as the case may be, may be treated as spoiled.

12. Every stamp vendor shall keep a register of sales in Form A<sup>1</sup> annexed to these rules, together with such accounts and registers as may be prescribed by the Resident, and shall produce them for inspection on the demand of any Government officer not below the grade of Amildar.

13. An entry shall be made in the register of sales as each sale is effected. If the vendor takes a stamp from the stock for his own private use, it must be treated as a sale.

14. Every stamp vendor shall, without delay, deliver any stamp which he has in his possession for sale on demand by any person legally tendering the value in current coin or currency notes.

15. No stamp vendor shall sell any stamp the use of which has been ordered by competent authority to be discontinued.

16. Every stamp vendor shall, at any time on the demand of the Collector

or other officer duly authorized by the Resident, deliver up all stamps remaining in his possession.

17. When a stamp vendor is unable to supply a single stamp paper of any required value, he shall, unless the said value exceeds the highest value of stamp which he is authorized to sell, supply the smallest number of stamp papers available to make up that value, and shall record on the back thereof a certificate to that effect.

18. A licensed vendor may sell stamps at his place of vend at all times and every stamp vendor shall do so daily from 10 A.M. to 5 P.M., except on Sundays and holidays.

[*Gazette of India*, 1899, Pt. II, p. 659.]

No. 2493, dated the 7th June 1899.—With the previous sanction of the Governor-General in Council, the Resident in Mysore is pleased to make, with effect from the 1st July 1899, the following rules with regard to the refund of the value of impressed Court-fee stamps and of Court-fee adhesive labels in the Civil and Military Station of Bangalore:—

1. (a) When any person is possessed of impressed Court-fee stamps for which he has no immediate use, or which have been spoiled or rendered unfit or useless for the purpose intended, or
- (b) When any person is possessed of two or more (or, in the case of denominations below Rs. four or more) Court-fee adhesive labels which have never been detached from each other and for which he has no immediate use, the Collector shall, on application, repay to him the value of such stamps or labels in money, deducting one anna in the rupee, upon such person delivering up the same to be cancelled and proving to the Collector's satisfaction that they were purchased by him either at the Resident's Treasury or from a licensed vendor of stamps in the Civil and Military Station of Bangalore with a *bond fide* intention to use them, that he has paid the full price thereof, and that they were so purchased or, in the case of impressed Court-fee stamps, so purchased, spoiled or rendered useless, within the period of six months preceding the date on which they are so delivered: Provided that the Resident in Mysore may, in special cases, allow refunds when application is made within one year from the date of purchase of the stamps or labels, or, in the case of impressed Court-fee stamps, within one year from the date on which the stamps were spoiled or rendered useless.

*Explanation.*—When adhesive labels are attached to impressed sheets of Court-fee stamps in accordance with the direction contained in notification<sup>1</sup> No. 1017-I.A., of the Government of India in the Foreign Department, dated the 21st April 1899, and Resident's notification<sup>1</sup> No. 2492, dated the 7th June 1899, such labels should be regarded as impressed stamps for the purposes of refund under this rule.

2. When stamps are returned to the Collector's store—

- (a) on the application of a vendor, or
- (b) on the death of a vendor or on his resigning his license, or
- (c) on the revocation of a license for any fault of the licensee,

they shall be taken back at their full value less a deduction of one anna in the rupee; but, when they are returned—

- (d) on the recall of stamps by Government,
- (e) on the expiration of a license, or
- (f) on the revocation of a license for no fault of the licensee,

they shall be taken back at their full value less only any discount previously allowed on their sale to the vendor.

[*Gazette of India*, 1899, Pt. II, p. 691.]

Reduction and  
remission of Court-  
fees

*No. 1018-I.A., dated the 21st April 1899.*—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to the Civil and Military Station of Bangalore by the notification of the Government of India in the Foreign Department,<sup>2</sup> No. 2252-I., dated the 7th August 1883, and in supersession of the notification of the Government of India in the Foreign Department, No. 2370-I., dated the 24th June 1881, the Governor-General in Council is pleased to direct as follows:—

I.—So much of the notification of the Government of India in the Department of Finance and Commerce,<sup>3</sup> No. 4650, dated the 10th September 1880, issued under section 35 of the Court-fees Act, 1870 (VII of 1870), and amended by the notification of the same Department,<sup>4</sup> No. 4276-S.R., dated the 23rd September 1897, as is specified below, shall apply to the Civil and Military Station of Bangalore, namely,—

- (a) The preamble;
- (b) Clauses (1) to (11), both inclusive:

<sup>1</sup> Printed *supra*, p. 366.

<sup>2</sup> *Gazette of India*, No. 1933, dated the 19th March 1913, paragraph 11 of which keeps

Provided that—

(i) the refund authorized by clause (3) shall not be made unless the stamp in question has been purchased from the Resident's Treasury, or from a person duly authorized to sell Court-fee stamps in the said station; and

(ii) in clause (6) "clause (c)" shall be inserted after "section 244";

(c) Clauses (13) to (19 A), both inclusive :

Provided that in clause (15) for the figures "1882" the words and figures "1898 (Act V of 1898)," shall be substituted; and

(d) Clause (35), except the words "in the Presidency of Bombay or by the Sadar Court in Sind."

II.—No Court-fee shall be charged on an application for the repayment of a fine, or of any portion of a fine, the refund of which has been ordered by competent authority.

[*Gazette of India*, 1899, Pt. I, p. 260.]

No. 9-G., dated the 5th January 1912.—In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), as applied to the Civil and Military Station of Bangalore, and in supersession of all previous notifications on the same subject, the Governor-General in Council is pleased—

Reduction and  
remission of Court-  
fees.

(a) to remit all fees payable under Schedule II to the said Act upon applications relating to licenses or duplicates granted or renewed under the Bangalore Arms Rules, 1912<sup>1</sup>, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b); and

(b) to reduce to one anna all fees, exceeding one anna, payable under the said schedule upon applications relating to licenses or duplicates granted or renewed under the said Rules in respect of which—

(i) no fee is payable under the said Rules, or

(ii) the fee payable under the said Rules has been collected in full.

[*Gazette of India*, 1912, Pt. I, p. 21.]

Indian Christian  
Marriage Act, 1872.

No. 4930, dated the 27th September 1900.—Whereas by the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 2252-I., dated the 7th August 1883, the Indian Christian Marriage Act, 1872, was with

Appointment of  
Marriage Registrar  
for marriages  
between non-British  
subjects.

<sup>1</sup> See now notification No 732-D., dated the 19th March 1913 Printed Vol. I, p. 290.

<sup>2</sup> Printed *infra* p. 351.

certain modifications declared to apply to the Civil and Military Station of Bangalore so far as regards marriages between persons, one of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject: In exercise of the powers conferred by section 7 of the Act, the Resident in Mysore is pleased to appoint the Collector of the Civil and Military Station of Bangalore for the time being (being a Christian) to be a Marriage Registrar for the said Station.

[*Gazette of India*, 1900, Pt. II, p. 1122.]

Opium Act, 1878.

Grant of powers of a Deputy Commissioner under the Act.

*Dated the 17th January 1883.*—The Resident in Mysore is pleased to authorize the Magistrate and Superintendent of Excise Revenue, Civil and Military Station of Bangalore, to exercise the powers conferred upon Deputy Commissioners by sections 12, 19 and 24 of the Opium Act, I of 1878, within the limits of that Station.

[*Mysore Gazette*, 1883, Pt. II, p. 22.]

Grant of powers to enter, arrest and seize.

*No. 3922, dated the 18th July 1905.*—In supersession of this office notification No. 14, dated the 30th March 1883, which is hereby cancelled, the Officiating Resident in Mysore is pleased to authorize the Superintendent of Excise, the Assistant Superintendent of Excise and the Police Officers of and above the grades of Inspectors, serving in the Civil and Military Station of Bangalore to exercise within the limits of the said Station the powers specified in section 14 of the Opium Act (I of 1878), as applied to the Civil and Military Station.

2. The Amildar of the Civil and Military Station is authorized to exercise within the said limits the powers mentioned in section 22 of the said Act.

[*Gazette of India*, 1905, Pt. II, p. 807.]

Rules.

*No. 42, dated the 31st July 1911.*—In exercise of the powers conferred by Sections 5 and 13 of the Opium Act, 1878 (I of 1878), as applied to the Civil and Military Station of Bangalore, and with the previous sanction of the Governor-General in Council, the Resident in Mysore is pleased to make the following rules in supersession of the rules contained in Residency notification No. 983, dated the 27th February 1900.

#### *Preliminary.*

I. These rules shall come into force on, and with effect from, the 1st day of September 1911.

II. In these rules, unless there is anything repugnant in the subject or context:—

‘The Resident’ means the Resident in Mysore;

'The Collector' means the Collector of the Civil and Military Station of Bangalore;

'Farmer' means a person who has obtained a farm from the Collector under Rule XIII;

'Licensed Vendor' means a person who has obtained a license for sale by retail under Rule X or XIV;

'Pharmacist' means a person to whom a special license has been granted under Rule V;

'Opium' does not include poppy heads, preparations or admixtures of opium and intoxicating drugs prepared from the poppy;

'Poppy heads' means the heads or capsules of the poppy plant which have been lanced and dried or from which the juice has been extracted;

Sale 'by retail' means the sale in a single transaction of opium and intoxicating drugs prepared from the poppy in any quantity not exceeding three tolas in weight, of preparations and admixtures of opium, other than morphia and its preparations and those used for smoking, in any quantity not containing more than three tolas of crude opium, and of morphia and its preparations in any quantity not exceeding ten grains in weight;

'Tola' means a weight of one hundred and eighty grains Troy; and 'Seer' means a weight of eighty tolas.

#### *Manufacture.*

III. (i) Preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be manufactured:—

(a) On account of the Government;

(b) By a farmer or licensed vendor for wholesale or retail sale in accordance with these rules and with the conditions of his farm or license;

(c) By a pharmacist, \* \*<sup>1</sup> or by any person for his own domestic use provided that such manufacture is in quantities not exceeding those in which the possession of the said articles is permitted by these rules, and is from opium of which the possession is similarly permitted.

(ii) Preparations or admixtures of opium used for smoking may be manufactured by any person for his own domestic use, but not for sale, in any quantity not exceeding one tola in weight from opium of which he is permitted by these rules to be in possession.

#### *Possession.*

IV. (i) Any person may possess—

(a) Opium and intoxicating drugs prepared from the poppy in any quantity not exceeding<sup>2</sup> [one tola] in weight, preparations or admixtures of opium, other

<sup>1</sup> Omitted by notification No. 15, dated the 10th March 1913. *Gazette of India*, 1913, Pt. II, p. 605

<sup>2</sup> Substituted by notification No. 50, dated the 1st July 1912. *Gazette of India*, 1912, Pt. II, page 1139.



than morphia and its preparations and those used for smoking, in any quantity not containing more than <sup>1</sup>[one tola] of crude opium and morphia and its preparations in any quantity not exceeding ten grains in weight:

Provided that the said articles have been purchased from a farmer, licensed vendor or \* \* \* pharmacist, or have been manufactured from opium so purchased;

Provided also that the Collector may specially authorize the possession by any person of any or all of the said articles in any quantity not exceeding one quarter seer in weight;

(b) Preparations or admixtures of opium used for smoking to the extent of one tola provided that such preparations have been manufactured by the possessor for private consumption and not for sale under the conditions of Rule III(ii) above.

(ii) Subject to the conditions of his farm or license, a farmer or licensed vendor may possess opium, preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, in any quantity; and a pharmacist may possess them in any quantity not exceeding one quarter seer of opium and one quarter seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy at one time.

Provided that the said articles have been purchased from the Government or from a farmer, licensed vendor or pharmacist as prescribed in the possessor's farm or license or otherwise in these rules, or have been manufactured from opium so purchased;

Provided also that the Collector may, in any special case, authorize the possession by a pharmacist of any or all of the said articles in any quantity.

V. The Collector may grant to any <sup>2</sup>[chemist or druggist] a special license, in such form as may be prescribed by the Resident, for the possession in accordance with the provisions of the last preceding rule and sale by retail, for medical purposes only, of opium, preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

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#### *Transport.*

VI. Any person may transport opium and preparations or admixtures of opium and intoxicating drugs prepared from the poppy, of which he is

<sup>1</sup> Substituted by notification No. 50, dated the 1st July 1912. *Gazette of India*, 1912, Pt. II, page 1139

<sup>2</sup> See notification No. 15, dated the 19th March 1913. *Gazette of India*, 1913, Pt. II, p. 605.

lawfully in possession, from a place where he has purchased any or all of the said articles or manufactured the preparations or admixtures of opium or intoxicating drugs prepared from the poppy, to a place where he is licensed to manufacture or sell the said articles or where he may lawfully consume them.

### *Import.*

VII. (i) The import of opium on account of the Government shall be permitted on the condition that the opium is covered by a pass granted by the Collector.

(ii) A pharmacist may, with the special permission of the Collector and subject to such conditions as the Collector may prescribe, import such preparations or admixtures of opium or intoxicating drugs prepared from the poppy (other than preparations or admixtures of opium used for smoking), as are not locally procurable, to the extent of the quantities of the said articles of which he is permitted by these rules to be in possession.

### *Sale.*

VIII. Opium, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be sold by retail to any person legally authorized to possess the same by a person holding a license in that behalf; and may also be sold for medical purposes only, by a <sup>1</sup>[chemist or druggist] holding a license granted to him under Rule V, to the extent and subject to the conditions specified in such license.

IX. (i) Opium in quantities of not less than one-fourth seer shall, on prepayment at such rates as the Resident may prescribe by notification in the official gazette, be supplied by the Collector to any farmer, licensed vendor or pharmacist.

(ii) No opium shall be sold by wholesale or retail which has not been bought from the Collector or from a licensed vendor.

(iii) No opium, or preparation or admixture of opium, or intoxicating drug prepared from the poppy shall be sold wholesale, except under special order from the Collector, or as next hereinafter provided.

(iv) A licensed vendor or farmer may sell any quantity of opium, or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, which he is authorized under the conditions of his license or farm to deal in, to another licensed vendor or farmer; and a quantity not exceeding one-fourth seer of each of the said articles or one half seer of them in the aggregate to a pharmacist.

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<sup>1</sup> See footnote 2 on previous page

than morphia and its preparations and those used for smoking, in any quantity not containing more than <sup>1</sup>[one tola] of crude opium and morphia and its preparations in any quantity not exceeding ten grains in weight :

Provided that the said articles have been purchased from a farmer, licensed vendor or \* \* <sup>2</sup> pharmacist, or have been manufactured from opium so purchased ;

Provided also that the Collector may specially authorize the possession by any person of any or all of the said articles in any quantity not exceeding one quarter seer in weight ;

(b) Preparations or admixtures of opium used for smoking to the extent of one tola provided that such preparations have been manufactured by the possessor for private consumption and not for sale under the conditions of Rule III(ii) above.

(ii) Subject to the conditions of his farm or license, a farmer or licensed vendor may possess opium, preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, in any quantity ; and a pharmacist may possess them in any quantity not exceeding one quarter seer of opium and one quarter seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy at one time.

Provided that the said articles have been purchased from the Government or from a farmer, licensed vendor or pharmacist as prescribed in the possessor's farm or license or otherwise in these rules, or have been manufactured from opium so purchased ;

Provided also that the Collector may, in any special case, authorize the possession by a pharmacist of any or all of the said articles in any quantity.

V. The Collector may grant to any <sup>2</sup>[chemist or druggist] a special license, in such form as may be prescribed by the Resident, for the possession in accordance with the provisions of the last preceding rule and sale by retail, for medical purposes only, of opium, preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

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\* 2

#### *Transport.*

VI. Any person may transport opium and preparations or admixtures of opium and intoxicating drugs prepared from the poppy, of which he is

<sup>1</sup> Substituted by notification No. 50, dated the 1st July 1912. *Gazette of India*, 1912, Pt. II, page 1139.

<sup>2</sup> See notification No. 15, dated the 19th March 1913 *Gazette of India*, 1913, Pt. II, p. 605.

lawfully in possession, from a place where he has purchased any or all of the said articles or manufactured the preparations or admixtures of opium or intoxicating drugs prepared from the poppy, to a place where he is licensed to manufacture or sell the said articles or where he may lawfully consume them.

#### *Import.*

VII. (i) The import of opium on account of the Government shall be permitted on the condition that the opium is covered by a pass granted by the Collector.

(ii) A pharmacist may, with the special permission of the Collector and subject to such conditions as the Collector may prescribe, import such preparations or admixtures of opium or intoxicating drugs prepared from the poppy (other than preparations or admixtures of opium used for smoking), as are not locally procurable, to the extent of the quantities of the said articles of which he is permitted by these rules to be in possession.

#### *Sale.*

VIII. Opium, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be sold by retail to any person legally authorized to possess the same by a person holding a license in that behalf; and may also be sold for medical purposes only, by a [chemist or druggist] holding a license granted to him under Rule V, to the extent and subject to the conditions specified in such license.

IX. (i) Opium in quantities of not less than one-fourth seer shall, on prepayment at such rates as the Resident may prescribe by notification in the official gazette, be supplied by the Collector to any farmer, licensed vendor or pharmacist.

(ii) No opium shall be sold by wholesale or retail which has not been bought from the Collector or from a licensed vendor.

(iii) No opium, or preparation or admixture of opium, or intoxicating drug prepared from the poppy shall be sold wholesale, except under special order from the Collector, or as next hereinafter provided.

(iv) A licensed vendor or farmer may sell any quantity of opium, or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, which he is authorized under the conditions of his license or farm to deal in, to another licensed vendor or farmer; and a quantity not exceeding one-fourth seer of each of the said articles or one half seer of them in the aggregate to a pharmacist.

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<sup>1</sup> See footnote 2 on previous page.

than morphia and its preparations and those used for smoking, in any quantity not containing more than <sup>1</sup>[one tola] of crude opium and morphia and its preparations in any quantity not exceeding ten grains in weight :

Provided that the said articles have been purchased from a farmer, licensed vendor or \* \*<sup>2</sup> pharmacist, or have been manufactured from opium so purchased ;

Provided also that the Collector may specially authorize the possession by any person of any or all of the said articles in any quantity not exceeding one quarter seer in weight ;

(b) Preparations or admixtures of opium used for smoking to the extent of one tola provided that such preparations have been manufactured by the possessor for private consumption and not for sale under the conditions of Rule III(ii) above.

(ii) Subject to the conditions of his farm or license, a farmer or licensed vendor may possess opium, preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, in any quantity ; and a pharmacist may possess them in any quantity not exceeding one quarter seer of opium and one quarter seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy at one time.

Provided that the said articles have been purchased from the Government or from a farmer, licensed vendor or pharmacist as prescribed in the possessor's farm or license or otherwise in those rules, or have been manufactured from opium so purchased ;

Provided also that the Collector may, in any special case, authorize the possession by a pharmacist of any or all of the said articles in any quantity.

V. The Collector may grant to any <sup>2</sup>[chemist or druggist] a special license, in such form as may be prescribed by the Resident, for the possession in accordance with the provisions of the last preceding rule and sale by retail, for medical purposes only, of opium, preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

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\* 2

### *Transport.*

VI. Any person may transport opium and preparations or admixtures of opium and intoxicating drugs prepared from the poppy, of which he is

<sup>1</sup> Substituted by notification No 60, dated the 1st July 1912. *Gazette of India*, 1912, Pt. II, page 1139

<sup>2</sup> See notification No 115, dated the 19th March 1913. *Gazette of India*, 1913, Pt. II, p. 605.

lawfully in possession, from a place where he has purchased any or all of the said articles or manufactured the preparations or admixtures of opium or intoxicating drugs prepared from the poppy, to a place where he is licensed to manufacture or sell the said articles or where he may lawfully consume them.

#### *Import.*

VII. (i) The import of opium on account of the Government shall be permitted on the condition that the opium is covered by a pass granted by the Collector.

(ii) A pharmacist may, with the special permission of the Collector and subject to such conditions as the Collector may prescribe, import such preparations or admixtures of opium or intoxicating drugs prepared from the poppy (other than preparations or admixtures of opium used for smoking), as are not locally procurable, to the extent of the quantities of the said articles of which he is permitted by these rules to be in possession.

#### *Sale.*

VIII. Opium, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be sold by retail to any person legally authorized to possess the same by a person holding a license in that behalf; and may also be sold for medical purposes only, by a <sup>1</sup> [chemist or druggist] holding a license granted to him under Rule V, to the extent and subject to the conditions specified in such license.

IX. (i) Opium in quantities of not less than one-fourth seer shall, on prepayment at such rates as the Resident may prescribe by notification in the official gazette, be supplied by the Collector to any farmer, licensed vendor or pharmacist.

(ii) No opium shall be sold by wholesale or retail which has not been bought from the Collector or from a licensed vendor.

(iii) No opium, or preparation or admixture of opium, or intoxicating drug prepared from the poppy shall be sold wholesale, except under special order from the Collector, or as next hereinafter provided.

(iv) A licensed vendor or farmer may sell any quantity of opium, or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, which he is authorized under the conditions of his license or farm to deal in, to another licensed vendor or farmer; and a quantity not exceeding one-fourth seer of each of the said articles or one half seer of them in the aggregate to a pharmacist.

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<sup>1</sup> See footnote 2 on previous page



of opium or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking. Such licenses shall be countersigned by the Collector and shall then have the force of licenses issued by the Collector under Rule X and shall contain such of the conditions of the said licenses as the Collector may prescribe, and may be cancelled at the discretion of the Collector for the breach of any of these conditions.

XV. Before entering into engagement for the farm of such duties the Collector may make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

XVI. Every farmer shall file in the Collector's office, in such form as may, from time to time be prescribed by the Collector, a list of all licenses granted by him.

XVII. With the sanction of the Resident, the Collector may cancel any farm granted under Rule XIII, or may within the period of such farm impose any new reservation or restriction on the farmer.

XVIII. If a farm is cancelled for any cause other than a breach of the conditions imposed under Rule XIII upon the farmer, or if any reservation or restriction in respect of the grant of licenses is imposed under the last foregoing rule during the term of the farm, the Resident may award to the farmer compensation for any loss thereby caused to him.

XIX. If any licensed vendor or farmer, on the expiry of his license or farm, has in his possession any opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking which he is authorised under the conditions of his license or farm to sell, but is unable to dispose of to the satisfaction of the Collector by private sale to other licensed vendors or farmers, he shall surrender the same to the Collector; and the incoming licensed vendor or farmer, or if the expired license or farm is not renewed, any licensed vendor or farmer within the station shall, when required by the Collector, be bound to purchase the articles aforesaid to the extent of two months' supply, at such price and in such quantities as the Collector shall adjudge:

Provided that the price thus adjudged shall in no case exceed the rate at which opium can be procured from the Government.

Provided also that, if such articles are declared by the Residency Surgeon to be unfit for use, the Collector shall cause the same to be destroyed.

#### *General.*

XX. Except where otherwise specially provided in the foregoing rules, the possession, transport, import, or sale of opium, and preparations and



— (v) A pharmacist may sell to another pharmacist a quantity not exceeding one quarter seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

X. (i) Licenses for the sale by retail of opium, or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be granted by the Collector.

(ii) Such limited number of shops for the retail vend of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy as aforesaid, as the Resident may from time to time decide, shall be allowed, and the monopoly of retail vend at such shops shall be sold for such fee as the Resident may fix, or it may be put up to auction at the commencement of each official year. The shops shall be disposed of singly or in groups, as the Resident may direct.

XI. Licenses for the sale by retail of opium, or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, shall be in such form as may be prescribed by the Resident.

XII. Licenses for the sale by retail of opium, or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy other than preparations or admixtures of opium used for smoking, shall be granted for one year only, unless the Resident otherwise specifically directs.

XIII. (i) With the sanction of the Resident, and subject to such conditions (if any) as may be imposed as hereinafter provided, the Collector may farm the duties leviable on the sale by retail of opium, or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, for a term not exceeding five years.

(ii) The Resident may prescribe conditions:—

- (a) for the invitation and acceptance of tenders for the farm of such duties;
- (b) as to the forms and conditions of the farms; and
- (c) for the requisition of security for the due fulfilment of the engagements entered into by the farmers.

(iii) Any breach of the conditions of a farm granted under this rule shall, over and above any other penalty, subject the farm to annulment by the authority by whom it was granted.

XIV. When duties are farmed under the last foregoing rule, the farmer may issue, within the limits of his farm, licenses for the sale by retail

of opium or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking. Such licenses shall be countersigned by the Collector and shall then have the force of licenses issued by the Collector under Rule X and shall contain such of the conditions of the said licenses as the Collector may prescribe, and may be cancelled at the discretion of the Collector for the breach of any of these conditions.

XV. Before entering into engagement for the farm of such duties the Collector may make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

XVI. Every farmer shall file in the Collector's office, in such form as may from time to time be prescribed by the Collector, a list of all licenses granted by him.

XVII. With the sanction of the Resident, the Collector may cancel any farm granted under Rule XIII, or may within the period of such farm impose any new reservation or restriction on the farmer.

XVIII. If a farm is cancelled for any cause other than a breach of the conditions imposed under Rule XIII upon the farmer, or if any reservation or restriction in respect of the grant of licenses is imposed under the last foregoing rule during the term of the farm, the Resident may award to the farmer compensation for any loss thereby caused to him.

XIX. If any licensed vendor or farmer, on the expiry of his license or farm, has in his possession any opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking which he is authorised under the conditions of his license or farm to sell, but is unable to dispose of to the satisfaction of the Collector by private sale to other licensed vendors or farmers, he shall surrender the same to the Collector; and the incoming licensed vendor or farmer, or if the expired license or farm is not renewed, any licensed vendor or farmer within the station shall, when required by the Collector, be bound to purchase the articles aforesaid to the extent of two months' supply, at such price and in such quantities as the Collector shall adjudge:

Provided that the price thus adjudged shall in no case exceed the rate at which opium can be procured from the Government.

Provided also that, if such articles are declared by the Residency Surgeon to be unfit for use, the Collector shall cause the same to be destroyed.

#### *General.*

XX. Except where otherwise specially provided in the foregoing rules, the possession, transport, import, or sale of opium, and preparations and

admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, by or on behalf of the Government shall be unrestricted.

### No. 52.

*Page 378.*—Add the following preparations of opium and morphia to the list of medical preparations appended to Notification No. 68, dated the 12th December 1913 (see addendum No. 14):—

Decoctum papaveris.

Linctus opiatus.

Pilula hydrargyri cum creta et opio.

Sanative pills, Jayne's.

Tinctura Opii Benzoica.

Dried poppy heads from which opium has been extracted.

[Notification No. 80, dated the 10th December 1914. *Mysore Residency Orders*, 1914, Part I, p. 114.]

### No. 46.

*Page 378.*—Delete item No. 102, *Tobaicum* and its preparations, from the list of medical preparations appended to notification No. 68, dated the 12th December 1913, [See addendum No. 14.]

(Notification No. 53, dated the 7th September 1914.)

[*Mysore Residency Orders*, 1914, Pt. I, p. 47.]

to any person or persons who have contributed to the seizure of the article or articles or the conviction of the offender.

XXIV. If in any case the fine or forfeiture is not realized the Collector may sanction such reasonable reward, not exceeding the amount of the fine and forfeiture, as may seem appropriate. The Resident may also by general order declare what class of Excise Officers shall receive rewards, and what classes shall have no title to share therein.

XXV. The powers referred to in the third paragraph of Section 12, Section 19 and Section 21, respectively, of the Opium Act, 1878, may be exercised by the Collector.

[*Gazette of India*, 1911, Pt. II, p. 1218.]

Treasure-  
Act, 1878.

No. 26, dated the 12th March 1908.—Under section 19 of the Indian Treasure-trove Act, 1878 (VI of 1878), as applied to the Civil and Military Station of Bangalore, the Resident in Mysore is pleased to make the following rules to regulate proceedings under the said Act.

1. When the finder of any treasure has not deposited it in the Resident's Treasury, or refuses or neglects to give the security required, the Collector may take possession of such treasure and remove it to the Resident's Treasury.

2. The Collector's notification requiring claimants to appear shall be forthwith forwarded to—

- (i) The Publisher of the Gazette of India for publication in Part II of the Gazette;
- (ii) The Superintendent of Government Printing, Bengal, for publication in the Calcutta Gazette;
- (iii) The Superintendent of the Government Central Press, Bombay, for publication in the Bombay Gazette;
- (iv) The Superintendent, Government Press, Madras, for publication in the Fort St. George Gazette.

The date on which the notification is published in the Gazette of India shall be taken to be the date of publication for the purposes of section 5, clause (a) of the Act, as applied to the Civil and Military Station of Bangalore.

3. The Collector shall, whenever he has made a declaration under section 9 that any treasure is ownerless, and before delivering or dividing the treasure as provided by sections 10-15 of the Act, consult the Superintendent of the Government Central Museum, Madras, as to whether he shall declare his intention to acquire such treasure, or any portion thereof, on behalf of the Government, and shall be guided by his advice. When making the reference the Collector shall furnish the Superintendent of the Government Central Museum with a detailed descriptive list of the objects found indicating which of the objects in the list are likely to prove of historical or archaeological interest.

4. The Superintendent of the Government Central Museum, Madras, shall, on a reference being made to him by the Collector under the last rule, consult the Superintendent of the Archaeological Survey, and also, if he considers it desirable, the Assistant Archaeological Superintendent for Epigraphy, Southern Circle, and any other responsible officer of Government interested in the conservation of objects of historical and archaeological interest whom he may see fit to consult.

5. (1) All coins acquired under the Act on the recommendation of the Superintendent of the Government Central Museum Madras, shall be sent to the Superintendent, who shall report to the Resident in Mysore their probable numismatic value and submit a distribution list of specimens of each coin which he may consider deserving of preservation. The following

institutions shall, after the Superintendent of the Government Central Museum has set apart the coins required for that institution, be supplied, if possible, with one or more specimens in the following preferential order:—

- |  |   |
|--|---|
| (1) The Indian Museum.                   | (7) The Peshawar Museum.                      |
| (2) The Provincial Museum,<br>Lucknow.   | (8) The Ajmere Museum.                        |
| (3) The Lahore Museum.                   | (9) The Quetta Museum.                        |
| (4) The Nagpur Museum.                   | (10) The Rangoon Museum.                      |
| (5) The Public Library, Shillong.        | (11) Asiatic Society, Bengal.                 |
| (6) The Archaeological Museum,<br>Poona. | (12) Bombay Branch, Royal<br>Asiatic Society. |
|  | (13) The British Museum.                      |
| (14) The Bangalore Museum.               |   |

(2) When only one specimen of a coin is found it shall be preserved in the Government Central Museum, Madras, unless a specimen of it already exists there. If the museum already possesses one or more specimens, or if more specimens than one, but not sufficient for all the institutions named in the preceding clause, are found, the said institutions shall be supplied, in the order prescribed with one specimen each until the specimens are exhausted.

(3) When a find of coins contains more specimens of a single variety than are required for the purpose of presenting one or more coins to each of the said institutions, which requires it, the Superintendent of the Government Central Museum, Madras, may, if the coins are of considerable numismatic value, recommend the acquisition of the whole or any portion of the coins. Surplus coins thus acquired shall be kept for sale at the Government Central Museum by the Superintendent who shall, from time to time, advertise coins in Part II of the Gazette of India and also supply lists of coins for sale to numismatists who register their names, and to such Museums and Societies as the Superintendent may consider likely to acquire coins.

6. The Collector may, on the recommendation of the Superintendent of the Government Central Museum, Madras, purchase coins which are of less value than Rs. 10 from finders on the terms laid down in section 16 of the Act. Such coins shall be sent by the Collector to the Superintendent of the Government Central Museum, who shall deal with them in the manner prescribed in the preceding rule.

7. Any coins not sold within six months of the date of advertisement in the Gazette of India, which may be considered worth sending, shall be forwarded to the Resident for transmission to the India Office to be presented to select institutions in Europe.

18. The Collector shall put forward the claims of Government under the Act to all valuable copper-plates, inscriptions, etc., in cases to which that Act applies, and officers in all Departments shall report to the Collector any discoveries which may come under their notice.

[*Gazette of India*, 1908, Pt. II, p. 442.]

Indian Arms Act,  
1878.  
Rules.

*No. 8-G., dated the 5th January 1912.*—In exercise of the powers conferred by sections 4, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), as applied to the Civil and Military Station of Bangalore, by the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 2477-I.B., dated the 16th December 1910, and in supersession of all previous notifications thereunder, the Governor General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores :

Provided that all exemptions, exclusions, or withdrawals made, all licenses or duplicates granted or renewed, all fees imposed, levied, remitted or reduced and all powers conferred by or under any notification hereby superseded, and in force, at the commencement of this notification, shall, so far as they are consistent herewith, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced, or conferred hereunder :—

### THE BANGALORE ARMS RULES, 1912.

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8. Restrictions upon possession of cannon and certain other articles.
9. Possession of fire-arms, ammunition, or military stores and going armed.

<sup>1</sup> The original footnotes explanatory of this rule are not re-printed.

<sup>2</sup> Superseded by notification No. 732-D., dated the 19th March 1913, paragraph II of which keeps this notification in force. Printed Vol. I, p. 390.

*Application for and grant of licenses.*

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13. Discretion and control of authorities empowered to grant licenses.
14. Obligation to produce licenses.

*Fees.*

15. Fees payable for licenses.
16. Fees payable for duplicate.
17. Collection and refund of fees.

*The Schedules.***THE RULES.**

Short Title.

1. These rules may be called the Bangalore Arms Rules, 1912.

Interpretation.

2. In these rules, unless there is anything repugnant in the subject or context, all words and expressions, which are defined in the General Clauses Act, 1897, as applied to the Civil and Military Station of Bangalore, shall have the meanings respectively assigned to them thereby; and the provisions of sections 9, 10 and 13 to 19 of the said Act shall be deemed to apply as if these rules were an enactment made by the Governor General in Council after the commencement of the said Act.

*Application of the Act.*

Extension.

3. For the purposes of the definition of "military stores" contained in section 4, all sections of the Act are extended to all lead, sulphur and saltpetre.

Exemption, exclusion,  
and withdrawal.

4. (1) Under section 27,—

- (a) the persons and classes of persons, and
- (b) the arms and ammunition,

specified or described in Schedules I to III are, respectively, exempted, excluded and withdrawn, to the extent there indicated, from the operation of prohibitions and directions contained in the Act.

(2) The exemptions specified in Schedule I are conferred subject to the condition that they shall not be deemed to render lawful the bringing of arms or ammunition through the medium of the Post Office into the area to which these rules apply from the areas of the Mysore State directly administered by His Highness the Maharaja.

*Import.\**

5. For import of arms, ammunition, or military stores from British India, a copy of the export license granted under the Indian Arms Rules, 1909, shall be deemed to be an import license under section 6 of the Act.

*Export.\**

6. For export to British India a copy of the import license issued under the Indian Arms Rules, 1909, shall be deemed to be an export license under section 6 of the Act.

*Manufacture and Sale.*

7. (1) A license—

- (a) to manufacture, convert, sell or keep and sell, or
- (b) to keep and sell,

Manufacture,  
conversion, sale  
keeping for sale  
arms, ammunition  
military stores.  
Form I.  
Form II.

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted by the District Magistrate.

(2) A license—

- (a) to manufacture, convert, sell or keep and sell, or
- (b) to keep and sell

Form III.  
Form IV.

breech-loading rifles, rifle ammunition or military stores for rifles shall not be granted save by the Resident, provided that no such license will be granted in the case of rifles of .303 and .450 bore, or of ammunition which can be fired from such rifles.

(3) Every Magistrate and every Police officer not below the rank of Sub-Inspector may, within the local limits of his authority,—

- (a) enter and inspect any premises in which arms and ammunition or military stores, including sulphur, are manufactured, converted, sold, or kept and sold, and
- (b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

*Possession and Going Armed.*

8. No license shall be granted for the possession of—

- (a) cannon,
- (b) war-rockets, or
- (c) machinery for the manufacture of arms or ammunition.

Restrictions upon  
possession of can-  
and certain other  
articles



Form V.  
Possession of fire-  
arms, ammunition or  
military stores and  
going armed.

9. Save as otherwise provided in rule 8 a license for the possession of fire-arms, ammunition or military stores, and for going armed for sport, protection, or display, may be granted by the Resident or an officer authorised by the Resident.

*Application for and Grant of Licenses.*

Particulars to be  
stated in applications.

10. Every person who wishes to obtain a license under these rules shall apply in writing to the nearest authority empowered to grant such license and shall in such application furnish all such particulars as may be necessary to enable such license to be granted.

Form and language  
of licenses

11. (1) Every license shall be granted or renewed in the appropriate form set forth in Schedule IV and, save as therein otherwise expressly provided, the arms, ammunition, or military stores specified and the persons named in the license shall alone be covered thereby.

(2) Every such license shall be written or printed in English.

Duration and renewal  
of licenses.

12. (1) Save as herein otherwise provided, every license under these rules shall, unless previously forfeited, be in force for such period and expire on such day as, subject to any restrictions or limitations, imposed by the appropriate form set out in Schedule IV, the authority granting it may enter thereon.

(2) Every license may, at its expiration, be renewed by the authority who granted it.

Discretion and control  
of authorities  
empowered to grant  
licenses.

13. (1) Every authority empowered to grant or renew a license may, in his discretion,—

(a) refuse to grant or renew such license, or

(b) refer the application for orders to the Resident.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the Resident.

Obligation to pro-  
duce licenses

14. (1) Any person who—

(a) holds a license granted or renewed under these rules, or

(b) is acting under colour of such a license, shall forthwith produce such license upon the demand of any magistrate or of any police officer of a rank not below that of officer in charge of a police station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to

grant or renew it upon any condition, not inconsistent with the said sub-rule, with respect to the production of such license.

### *Fees.*

15. (1) Every license granted or renewed under these rules shall, save as Fees payable for licenses. herein otherwise expressly provided, be chargeable with the fee (if any) indicated on the appropriate form set forth in Schedule IV.

(2) The Resident may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any license issued under these rules.

16. Where a license granted or renewed under these rules is lost or Fees payable for duplicates. accidentally destroyed, the authority empowered to grant such license may grant a duplicate—

(a) where the original license was granted without the payment of any fee, free of all fee;

(b) where such original license was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the same amount;

(c) in any other case, on payment of a fee of one rupee.

17. (1) All the fees payable under rule 15 or rule 16 shall be collected Collection and refund of fees by impressed stamps.

(2) The application may be written upon an impressed stamp of a value equal to such fee and in such case the license or duplicate shall be granted or renewed on plain paper, or, the license may be written upon an impressed stamp, to be supplied by the applicant, of a value equal to such fee, and in such case, the application may be written on plain paper.

(3) Where a fee of not less than one rupee payable under these rules has been collected and the application for the grant or renewal of, a license or duplicate is refused, the value of the fee shall be refunded, upon application for the same being made within two months from the date of such refusal.

### **SCHEDULE I—PERSONS EXEMPTED.**

#### **(Rule 4.)**

1. The persons or classes of persons specified or described in the first column of the subjoined table are exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions

and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

*The Table.*

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
1. All persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 16 of the Indian Arms Act, XI of 1878.	In respect of such arms and ammunition as are defined in the Indian Arms Rules, 1909, Schedule I.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities, if any, as the Resident may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
2. All persons who in the area to which these rules apply occupy positions similar to those held by persons described in clause 1.	All except— (a) cannon (b) war-rockets, (c) rifles and ammunition of .303 and .450 bores other than rifles and ammunition of such bores lawfully imported by them.	Do.	Do.
3. Arsus and relatives of His Highness the Maharaja of Mysore and their retainers.	Do.	The exemption shall be subject to such orders as the Resident may make regarding— (a) the persons to be included in this category (b) the number of retainers and arms and the quantity of ammunition to be permitted in each case.	Do.

**SCHEDULE II.—ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.**

**(Rule 4.)**

2. The arms, ammunition and military stores described in the first column are exempted from the operation of such prohibitions and directions contained in the Act as are indicated in the second column.

*The Table.*

Arms and ammunition.	Prohibitions and directions.
(1) Bows and arrows ;	All.
(2) Spears ;	Do.
(3) Uniform swords and dirks manufactured in Europe of recognized military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniforms ;	Do.
(4) Swords imported for presentation as Army or Volunteer prizes ; and ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes ;	Do.
(5) " . . . . . "	Do.
(6) Lead required <i>bona fide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) up to any quantity.	Do.
(7) Leaden bullets and bird shot in quantity not exceeding such limits as the Resident may fix.	Do.
(8) Saltpetre.	Do.
(9) Sulphur in quantities not exceeding such limits as the Resident may fix.	Do.

SCHEDULE III.—ARMS, AMMUNITION AND MILITARY STORES EXEMPTED.

(Rule 4.)

3. The arms, ammunition, and military stores described in the subjoined table are exempted from the prohibitions and directions contained in section 6.

*The Table.*

(1) All arms, ammunition, and military stores brought into the Civil and Military Station of Bangalore from the areas of the Mysore State directly administered by His Highness the Maharaja, except through the medium of the Post Office.

(2) All arms, ammunition, and military stores taken out of the Civil and Military Station of Bangalore, into the areas of the Mysore State directly administered by His Highness the Maharaja.



*Conditions.*

1. This license is given subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), as applied to the Civil and Military Station of Bangalore, and the rules thereunder.

2. The licensee-holder shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such form as the Resident may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police Officer of a rank not below that of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a sign board, on which shall be painted in large letters in English his name and the words "Licensed to manufacture (or "Licensed to deal in) arms, ammunition, and military stores," as the case may be.

(2) He shall also affix in his place of business, factory, or shop a copy of section 28 in English.

5. Save with the express permission of the Resident, he shall not sell arms ammunition or military stores to any person who—

(a) is not licensed to possess such arms, ammunition or military stores, or

(b) is not declared, under Schedule I, exempt from the operations of sections 13 to 16.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V.—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall not sell ammunition to any person licensed to possess and carry arms, in excess of the maximum which may be fixed by the Resident for such person and which is endorsed on his license.

8. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory, or shop specified in column 3.

9. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer, or soldier of the Indian Army unless such native officer, non-commissioned officer, or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the Resident, keep or sell revolvers or magazine pistols.

*Explanation.*—For the purposes of this condition—

- (a) "Government arm" means a fire-arm or other weapon which is the property of the Government; and
- (b) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

11. Save where the Resident directs the omission of this condition the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

#### SCHEDULE IV.—FORM No. II.

Rule 7 (1) (b).

Fee—Ten rupees in stamps.

*License to keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles).*

Serial number of license.	Name, description and residence of licensee.	Place of business or shop.	DESCRIPTION OF		Date on which the license expires.
			Arms.	Ammunition or military stores.	
1	2	3	4	5	6
					The 31st December 19 .

(Signature.)

The

19 .

Encl.





5. Save with the express permission of the Resident, he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition, or military stores or

(b) is not declared, under Schedule I, exempt from the operations of sections 13 to 16.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

7. He shall not sell ammunition to any person licensed to possess or carry arms, in excess of the maximum quantity which may be fixed by the Resident for such person and which is endorsed on his license.

8. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

9. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer, or soldier of the Indian army, unless such officer, non-commissioned officer, or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the Resident, keep or sell revolvers or magazine pistols.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

11. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the licence

## SCHEDULE IV.—FORM No. III.

## Rule 7 (2) (a).

Fee—Where the licensee holds a license in Form No I, Free of all charge. In all other cases, Twenty rupees in stamps.

*License to manufacture, convert, sell, or keep and sell breech-loading rifles, rifle ammunition or military stores for rifles.*

Serial number of license.	Name, description and residence of licensee	Place of business, factory or shop	DESCRIPTION OF ARMS		DESCRIPTION OF AMMUNITION OR MILITARY STORES		Date on which the license expires.
			to be manufactured or converted	to be sold or kept for sale.	to be manufactured	to be sold or kept for sale.	
1	2	3	4	5	6	7	8
							The 31st December 19 .

(Signature.)

The

19 .

Seal.

First Assistant Resident.

*Form of renewing the License*

Date and year of renewal.	Date on which the renewed license expires	Signature of the First Assistant Resident.



4. (1) He shall affix on a conspicuous part of his place of business or shop a sign board on which shall be painted in large letters in English his name and the words "Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 28 in English.

5. Save with the express permission of the Resident, he shall not sell arms, ammunition, or military stores to any person who—

(a) is not licensed to possess such arms, ammunition or military stores,  
or

(b) is not declared, under Schedule I, exempt from the operations of sections 13 to 16.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form No. V—

(a) the name, description and residence of the person who takes delivery of the article or articles sold,

(b) the nature and amount of the article or articles sold, and

(c) the date of sale,

and shall sign the endorsement

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

8. He shall not keep Government arms, ammunition or military stores.

*Explanation.*—For the purposes of this condition,—

(a) "Government arm" means a fire-arm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

9. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer or soldier of the Indian army, unless such native officer, non-commissioned officer, or soldier produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

10. Save where the Resident directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition, or military stores covered by the license.

## SCHEDULE IV.—FORM No. V.

[ Rule 9.]

Fee—Four annas in stamps.

*License for the possession of fire-arms, ammunition or military stores, and for going armed for the purpose of sport, protection, or display.*

1	2	3		4				5	6
Serial number of license.	Name, description and residence of licensee and agent (if any).	Arms, ammunition or military stores that licensee is entitled to possess.		Retainers (if any) covered by the license.				District or place within which the license is valid.	Date on which the license expires
		Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms, ammunition or military stores that retainer is entitled to possess.		
							Description.	Quantity.	

(Signature.)

The

19 .

Seal.

Form for renewal of the License.

Date and year of renewal.	Date on which the renewed license expires.	Signature.

*Conditions.*

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), as applied to the Civil and Military Station of Bangalore, and the rules thereunder.

2. It covers only the persons named and the arms, ammunition, and military stores described therein and such retainers, if any, as may be entered in column 4.

3. The licensee or any retainer acting under this license shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of sport, protection or display; and, save where he is specially authorized in this behalf by the licensing officer, he shall not take any such arms into a railway carriage or to a fair, religious procession or other public assemblage.

4. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely:—

- (a) the name, description and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase.

5. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the Resident.

6. Save where the Resident directs the omission of this condition, he shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the license.

7. He shall not possess Government arms and ammunition.

*Explanation.*—For the purpose of this condition,—

- (a) "Government arm" means a fire-arm or other weapon which is the property of the Government;
- (b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to the Government.

[*Gazette of India*, 1912, Pt. I, p. 7.]

No 3285-I.A., dated the 23rd August 1907—In exercise of the powers conferred by section 5 of the Local Authorities' Loan Act, 1879 (XI of 1879), as applied to the Civil and Military Station of Bangalore under notification<sup>1</sup>

Local Authorities'  
Loan Act, 1879.  
Rules.

<sup>1</sup> See now Notification No. 732-D., dated the 12th March 1913, paragraph II of which keeps this notification in force. Printed Vol. I, p. 329

No. 3284-L.A., dated the 23rd August 1907, the Governor-General in Council is pleased to make the following Rules for the grant of loans to Local Authorities in the said Station by the Government :

1. In these rules (i) "the Act" means the Local Authorities' Loan Act, 1879, as applied to the Civil and Military Station of Bangalore ; (ii) "the Local Authority" means the Local Authority applying for or, as the case may be, receiving or having received the loan ; (iii) "loan" means a loan under the Act.

2. A loan must be defaced in rupees and not by the sterling or any other foreign standard.

3. (1) No loan shall be granted except for the construction or repair of a work of public utility—

(a) within the local limits of the area subject to the control of the local authority, or

(b) for the benefit of the inhabitants within those limits.

(2) The term of a loan shall not, except with the special sanction of the Government of India, extend over a period exceeding twenty years.

(3) In the case of loans for works or in connection with works which are mainly ornamental or convenient such as a town hall, public garden, or market-place, the terms shall not, except with the special sanction of the Government of India, exceed ten years.

(NOTE.—In the case of (2) and (3) above, the terms should be calculated from the date on which the loan is completely made)

(4) Without the special sanction of the Government of India a loan shall not be made at a lower rate of interest than 4 per cent.

4. An application for a loan shall state—

1st—the work for the construction or repair of which the loan is required and an estimate of the cost of the entire work or of such part of it as it is proposed to meet from loan funds ;

2nd—the amount which it is proposed to borrow ;

3rd—the fund on the security of which it is proposed to borrow ;

4th—the law under which the said fund is levied, received or held ;

5th—the period for which the loan is required, the number and amount of the instalments, if any, in which it is proposed that the loan shall be taken, the dates proposed for receiving such instalments and the instalments, if any, in which it is proposed to repay the loan ;

6th—the rate of interest at which it is proposed to borrow ;

7th—a detailed account of the revenue and expenditure of the Local Authority for the three last preceding years ;

Receipts from  
excluded as well as items of  
expenditure side interest on  
expenditure from loan funds  
Explanation should be given of

8th—all existing prior charges upon the funds of the Local Authority.

5. The Resident in Mysore shall cause such enquiry as he thinks necessary or expedient to be made into the statements contained in the application and into the use and value of the proposed work.

6. If it appears to the Resident in Mysore that the loan ought not to be granted, he shall reject the application.

7. If it appears to the Resident in Mysore probable that the loan ought to be granted, he shall cause to be published in the official Gazette, and otherwise, as he deems fit, within the local limits of the area subject to the control of the Local Authority, a copy of the application and such particulars in regard to any enquiry made under Rule 5, as he may think necessary.

8. After the expiry of one month from such publication, and after calling for any further information which he may require, and considering any objections which may be preferred, the Resident in Mysore may either reject the application, or refer it for the orders of the Governor-General in Council.

9. The Resident in Mysore shall make such provision as may seem to be necessary for the proper inspection of all works which are being carried out by means of a loan and for ascertaining and securing that the loan is duly applied to the purposes for which it is made. Every such work, and the accounts connected therewith shall be open at all times to the inspection of any person who may be authorised to inspect the accounts of the Local Authority, and of any other person specially authorised by the Resident in Mysore in this behalf.

10. If the Governor-General in Council considers that the conditions on which a loan was granted have not been fulfilled, or that the Local Authority has failed to comply with any of the requirements of these rules, he may, at any time, order that no further payments shall be made on account of such loan, and recover the amount advanced, with interest thereon, in the manner mentioned in section 6 of the Act.

11.(1) Interest shall be charged half-yearly on each loan at the rate agreed upon, and shall be reckoned and paid on each instalment from the date on which it is received.



(2) A penal rate of compound interest, not less than 6 per cent. per annum, shall be payable, at the discretion of the Government of India, upon all overdue instalments of interest or of principal and interest.

12. The Local Authority may, at any time with the previous consent of the Resident in Mysore, repay the whole or any part of a loan made from the public Treasury in advance of the period fixed by the conditions of the loan.

13. The cost of any enquiry made under Rule 5, of advertisements published under Rule 7, of inspections made under Rule 9, and of any other proceedings by order of the Governor-General in Council or the Resident in Mysore under these Rules, shall be determined by the Governor-General in Council or the Resident in Mysore, as the case may be, and shall be paid by the Local Authority.

14. (a) The accounts of every loan shall be kept by the [Accountant-General, Madras].<sup>1</sup>

(b) The Local Authority shall give to the [Accountant General]<sup>1</sup> and the Resident in Mysore any information which they may require regarding the expenditure of the loan, and regarding its funds.

15. An annual statement of all loans granted under the Act, repayment due and made during the year, and balances outstanding at the beginning and end of the year shall be prepared and submitted to the Resident in Mysore, with a report of the progress of the works. Such statement shall be published in the official Gazette.

16. An attachment of any funds under section 6 of the Act shall be made by a notice to the Local Authority prohibiting the collection or management of such funds by the Local Authority, and vesting the administration thereof in such officer as the Governor-General in Council may appoint. Such notice shall be published in the official Gazette and otherwise, as may be directed by the Governor-General in Council, within the local limits of the area subject to the control of the Local Authority. The moneys collected or received under such attachment shall be paid into the Government Treasury; and the accounts of moneys so collected and of the cost of the collection, shall be prepared in such form as the Governor-General in Council may from time to time direct. A copy of the accounts shall be delivered to the Local Authority, and published in the official Gazette.

[*Gazette of India*, 1907, Pt. I, p. 721.]

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<sup>1</sup> Substituted by notification No. 4829-I.A., dated the 15th December 1907. *Gazette of India*, 1907, Pt. I, p. 1139.

*No. 4981, dated the 24th February 1904.*—In exercise of the powers conferred by section 3 of the <sup>1</sup>Bangalore Hackney Carriage Regulation, 1882, and in supersession of all previous Rules framed under that section, the Municipal Commission for the Civil and Military Station of Bangalore have made the following Rules for the registration and control of Hackney Carriages within the limits of the said Municipality, and the same having been confirmed by the Honourable the Resident in Mysore, as required by the said section and by section 139 of the Bangalore Municipal Law, 1897<sup>2</sup>, they are hereby notified for general information under section 180 (3) of the said Municipal Law.

These Rules shall come into force on the 1st April 1904.

1. Every hackney carriage shall be annually licensed by the Registering Officer, and no person shall keep, or offer, or ply for hire, any hackney carriage within the limits of the Civil and Military Station, Bangalore, except under license granted in that behalf under these Rules.

*Note.*—The Registering Officer shall be the Officer, for the time being, holding the office of the District Superintendent of Police.

2. Any license granted under these Rules shall ordinarily continue in force until the 31st day of March after the grant of such license.

3. The Registering Officer shall receive applications for, and shall grant or refuse, licenses as he may think fit. He shall class every hackney carriage at his discretion in one of the four following classes:—

1. First class carriage
2. Second class carriage.
3. Jutkas.
4. Bullock carts.

4. The license to be granted by the Registering Officer shall be in the form given in Schedule B of these Rules, and its former<sup>3</sup> acceptance by the licensee shall be entered in the register provided for this purpose.

*Note.*—In the case of a partnership, company or firm the name to be entered in the license shall be that of a partner, the Secretary or Manager, as the case may be.

5. The Registering Officer may, whenever necessary, cause to be painted on some conspicuous part of the carriage its number and class, the year of

<sup>1</sup> Superseded by Act XIV of 1879, as applied by notification No 532-D, dated the 19th March 1918, paragraph II of which keeps this notification in force. Printed Vol. I, p 390.

<sup>2</sup> Printed Vol. I, p. 448

<sup>3</sup> *Sic.* Read " formal."

license and the number of passengers it is licensed to carry. He may also cause to be stamped a number on such parts of the harness as he thinks fit.

A. If the words or figures so painted or stamped shall, during the time of license, become indistinct or obliterated, the owner of the carriage or harness shall produce it without delay before the Registering Officer and apply to have such words or figures renewed.

B. The numbering shall be done at the office of the Registering Officer.

C. The owner of the first or second class hackney carriage shall on receipt of a license, affix to his premises a board on which shall be painted his name and his hackney carriage license number.

D. Every owner of a hackney carriage shall, on the expiry, revocation, or suspension of his hackney carriage license, forthwith remove the figures or words so painted on his carriage.

6. The following fees shall be paid to the Registering Officer on behalf of the Municipality for each license :—

First class carriage	R12 per annum	} If drawn by a pair of horses, double these fees.
Second class carriage	„ 9 do.	
Jutkas	„ 4 do.	
Bullock carts	„ 2 do.	

A license in the form given in Schedule B shall only be given for a turn-out including horse, carriage and harness, but spare carriages and horses shall, if the Registering Officer thinks fit, be registered separately as entitled to ply for hire under these Rules the following fees being charged for such registration :—

First class carriage	R8.
Second do.	„ 5.
Horse	„ 4.
[Jutka pony	„ 2.] <sup>1</sup>

#### DRIVERS' LICENSES.

7. Every driver of a hackney carriage shall be annually licensed by the Registering Officer, who, if he thinks fit, may refuse to issue such a license, and no person shall drive any hackney carriage, nor shall any owner of a hackney carriage permit any person to drive such hackney carriage, within the limits of the Civil and Military Station, Bangalore, except under license granted in that behalf under these Rules.

<sup>1</sup> Added by notification No. 3495, dated the 25th November 1904 *Gazette of India*, 1904, Pt. II, p. 1275.

For every license granted under this Rule, there shall be paid annually a fee of Rs 1 by owners of 1st and 2nd class carriages and jutkas, and a fee of 8 annas by owners of bullock carts.

8. The license to be granted to a driver of a 1st or 2nd class carriage shall be in the form given in Schedule C of these Rules, and to a driver of a jutka<sup>1</sup> or bullock cart in the form given in Schedule D. Such licenses shall be accompanied by metal badge bearing the number of the license.

9. A licensed driver, when acting as such,—

- (1) shall keep to his own left side of the road, and not overtake or pass another carriage except on the right-hand side of that carriage,
- (2) shall light his lamps and keep them alight between sunset and sunrise.
- (3) shall stand in line with his carriage and keep proper order when at a carriage stand. He shall not take up position on any hackney carriage stand which already contains the full complement of hackney carriages authorised for such stand by the Registering Officer. He shall not loiter or cause obstruction in public roads or thoroughfares or in any place where the public resort.

10A. Every driver of a first or second class carriage shall be properly and cleanly clad when acting as such. He shall wear a turban neatly folded, a long coat extending beyond the hips and trousers reaching to the ankles. Over the coat he shall wear a waist belt not less than four inches wide, to which his metal badge shall be affixed above the right hip.

10. The fare which may be demanded for the hire of a hackney carriage shall not exceed that specified in Schedule A of these Rules.

11. The owner of every hackney carriage \* \* \* \* unless exempted by the Registering Officer, shall put up, and at all times keep, in such position as shall be directed by the Registering Officer, in or on such carriage, a clear and legible list showing the class and number of such carriage, and the rates and fares authorised to be taken for the hire of the same.

12. No owner or driver of any hackney carriage shall, without sufficient reason, the burden of proving which shall lie on such owner or driver, at any time refuse to let such hackney carriage for hire to any person demanding the same.

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<sup>1</sup> Added by } notification No 4709, dated the 3rd February 1906 *Gazette of India*, 1906,  
<sup>2</sup> Repealed by } Pt II, p. 320.

## MISCELLANEOUS.

13. The Registering Officer may, by written order, suspend for a period not exceeding one month, or revoke, any license granted under Rule 3 or 8 for any breach of these Rules.

A license under Rule 3 or 8 shall also be subject to suspension or revocation, if the Registering Officer is satisfied that the owner or driver has misconducted himself.

14. Notwithstanding anything contained in any Act or Regulation relating to hackney carriages for the time being in force, no owner or driver of a hackney carriage, shall be bound to carry, in such hackney carriage, any person suffering from any contagious or infectious disease.

No owner or driver shall, without previously disinfecting it, knowingly use for hire any carriage used for the conveyance of any person suffering from any contagious or infectious disease.

15. In the case of disputes as to the fare to be paid according to distance, any table or book signed by the Registering Officer shall be taken to be conclusive evidence of all the fares and distances therein stated.

16. All property left in any hackney carriage licensed under these Rules shall be forthwith deposited by the driver or owner, as the case may be, in the office of the Registering Officer, or in the nearest police station.

Such property shall be returned to the person who shall prove to the satisfaction of the Registering Officer that the same belonged to him, on payment of all expenses reasonably incurred, and of such reasonable sum to the driver or owner as the Registering Officer may direct.

17. It shall be lawful for the Registering Officer, the Inspector of Hackney Carriages and any Inspector of Police, at any time between sunrise and sunset to enter any premises in which hackney carriages are kept in order to carry out any provision of these Rules, and the owner of such premises or his agents shall afford every facility for such inspection.

18. The Registering Officer may, for reasons to be recorded by him in writing, prohibit the use of any premises as premises in which hackney carriages can be kept, and may also forbid the keeping of any vehicles or horses, other than those registered under the Hackney Carriage Rules, in any premises in which hackney carriages are kept, and after the issue of such prohibition no person shall use such premises in contravention of such prohibition.

19. On expiry, revocation, or suspension of any license granted under Rule 3 or 8, the licensee shall forthwith return such license to the Registering Officer and shall, in the case of any license granted under Rule 8, at the same time deliver up any badge issued with such license.

20. Prosecutions for breach of these Rules may be instituted by any Police Officer, or Officer of the Hackney Carriage Department, or any other person authorized by the Registering Officer in writing.

**SCHEDULE A.**  
*Fares by Time.*

Class of Vehicles.	For one hour or less	For every additional hour or part of an hour before midnight	For every additional hour or part of an hour after midnight	REMARKS.
1	2	3	4	5
	<i>R a p.</i>	<i>R a p.</i>	<i>R a p.</i>	
1st, drawn by one horse .	1 0 0	0 6 0	0 8 0	If drawn by a pair of horses double these fares.
2nd, drawn by one horse .	1 0 0	0 1 0	0 6 0	
3rd, Jutka do. .	0 6 0	0 3 0	0 4 0	
4th, bullock cart .	0 4 0	0 2 0	0 3 0	

NOTE.—These fares are subject to a maximum of R3 0, R2, R1 2 and R1 4 according to class for twelve hours from 8 a.m. to midnight; and to a maximum of R3, R2 6, R1 6 and R1 0, respectively, when the number of hours exceed twelve.

*Fares by Distance.*

	First class.	Second class		Third class. Jutkas.	Fourth class. Bullock carts
1	2	3	4	5	6
For three miles and under	1 0 0	0 12 0	For a mile or portion of a mile.	0 2 0	0 1 6
For every succeeding mile or a portion of a mile beyond a mile.	0 4 0	0 3 0			

N.B.—The minimum speed at which a first and second class carriage hired by time shall be driven is six miles per hour, jutka five miles, and bullock cart three miles an hour, respectively.

The above fares to be paid according to time, unless, at the commencement of hiring, the hirer expresses his intention of paying according to distance.

Any contract entered into to accept a fare lower than the fare above fixed, shall be binding.

## SCHEDULE B.

Owners' license.  
Hackney Carriage License No.  
Class.

Stamp of  
Hackney Carriage  
Department.

By virtue of the powers vested in me by I grant to you of  
this license to keep at your premises at and to let for hire the  
numbered as above from the date hereof till the 31st March 19 on the  
conditions hereunder written :—

*First.*—That it shall be drawn by

*Second.*—That it shall carry such number of passengers not exceeding as may be required and shall also carry free of charge a reasonable quantity of luggage.

*Third*.—That it shall ply for hire in the Civil and Military Station, Bangalore.

*Fourth*.—That it shall be produced for inspection at such place and time as may be directed by me.

*Fifth.*—That in the event of its being damaged, you may, with my previous sanction in writing, use temporarily another carriage to which this license number shall be transferred free of charge.

*Sixth.*—That you shall keep it, together with the horse (s) and harness used therewith in proper and serviceable condition.

*Seventh*—That as often as you change your residence or the premises in which you keep this carriage, you shall give me notice thereof in writing within one week of such change, submitting at the same time this license for the necessary alteration.

*Eighth.*—That this license shall not be transferred to any other person without my written sanction.

Given under my hand and seal this                      day of

Registering Officer,  
Civil and Military Station, Bangalore.

### SCARFOLD C.

1st or 2nd class Hackney Carriage  
Drivers' License No.

Stamp of Hackney  
Carriage Department.

By virtue of the powers vested in me by \_\_\_\_\_ I grant to you \_\_\_\_\_ of  
this license to ply for hire and pursue the occupation of driver in the

service of Hackney Carriage owner in any part of the Civil and Military Station, Bangalore, from the date hereof till the 31st March 19 on the conditions hereunder written :—

*First.*—That you shall constantly, when engaged in the said occupation, wear conspicuously on such part of your person as the Registering Officer shall direct a metal badge, numbered as above.

*Second.*—That you shall, at all times when engaged in your said occupation, have with you this license and shall produce the same, when required by any passenger, Police Officer on duty, or any person employed by the Hackney Carriage Department.

*Third.*—That you shall, when engaged for hire, drive Mr. 's carriage to any place within the Municipal limits of the Civil and Military Station, Bangalore, to which you may be required by the hirer thereof to drive.

*Third A.*—That the carriage shall carry such number of passengers not exceeding as may be required, and shall also carry, free of charge, a reasonable quantity of luggage.

*Fourth.*—That you shall not, when engaged for hire, leave this carriage without the permission of the hirer, or wilfully desert from such hiring before being discharged by the hirer.

*Fifth.*—That this license or its accompanying badge be not transferred to any other person except at the request of the owner of this carriage and with my written sanction.

Given under my hand and seal this day of

Registering Officer,  
Civil and Military Station, Bangalore.

#### SCHEDULE D.

Jutka or Bullock cart Drivers'  
License No.

Stamp of Hackney Carriage  
Department.

By virtue of the powers vested in me by I grant to you  
of this license to ply for hire and pursue the occupation of Driver in the  
service of <sup>Jutka</sup> Bullock cart owner in any part of the Civil and Military

<sup>1</sup> Inserted by notification No. 4709, dated 3rd February 1906. *Gazette of India*, 1906, Pt. II, p. 320.



Station, Bangalore, from the date hereof till the 31st March 19 on the conditions herounder writton :—

*First.*—That you shall constantly, when engaged in the said occupation, wear conspicuously on such part of your person as the Registering Officer shall direct a metal badgo, numbered as above.

*Second.*—That you shall at all times when engaged in your said occupation, have with you this license and shall produce the same, when required by any passenger, Police Officer on duty, or any person employed by the Hackney Carriage Department.

*1 Second A.*—That the <sup>Jatta</sup> Bullock cart shall carry such number of passengers not exceeding as may be required and shall also carry free of charge a reasonable quantity of luggage.

*Third.*—That the license or its accompanying hadge shall not be transferred to any other person without my written sanction.

Given under my hand and seal this day of

Registering Officer,  
Civil and Military Station, Bangalore.

[ *Gazette of India*, 1904, Pt. II, p. 312. ]

No. 3625-1779, dated the 26th October 1889.—Under section 2, sub-section (8) of the Vaccination Act, 1880, as extended to the Civil and Military Station of Bangalore, the Resident in Mysore is pleased to fix the period from the 1st January to the 15th April and from the 15th May to the 31st December (all dates being inclusive) in every year as the period during which vaccination may be performed under the said Act in the said Civil and Military Station.

[ *Gazette of India*, 1889, Pt. II, p. 599. ]

No. 2854-2089, dated the 23rd August 1889.—In exercise of the power conferred by section 2 of the Probate and Administration Act, V of 1881, as applied to the Civil and Military Station of Bangalore, the Resident in Mysore is pleased, with the previous sanction of the Governor-General in Council, to authorise the District Court of the Civil Judge in the said station to receive applications for probate or letters of administration within the said Station.

<sup>1</sup> Inserted by notification No. 4700, dated 8rd February 1906, *Gazette of India*, 1906, Pt. II, p. 320.

The Resident is further pleased, with the like sanction, to authorise the reception of such applications in his own Court.

[*Gazette of India*, 1889, Pt. II, p. 459.]

<sup>1</sup> No. 2789-I, dated the 22nd July 1884.—In exercise of the powers conferred by section 3 of Act XI of 1881 (The Municipal Taxation Act), the Governor-General in Council is pleased to prohibit the levy by the Commissioners of the Municipality of the Civil and Military Station of Bangalore upon the persons described below of the tax upon arts, professions, and trades or callings:—

Persons exempted—

All persons exclusively in military employ, or belonging to any department directly attached to the Army or to the Public Works Department, Military Branch, being persons subject to the Army Act, 1881, or the Indian Articles of War and compelled by the exigencies of military duty to reside within the limits of the Municipality of the Civil and Military Station of Bangalore.

[*Gazette of India*, 1884, Pt. I, p. 276.]

No. 4945-I, dated the 17th December 1891.—In exercise of the powers conferred by section 3 of the Municipal Taxation Act (XI of 1881), as applied to the Civil and Military Station of Bangalore, the Governor-General in Council is pleased to prohibit the levy, by the Commissioners of the Municipality of the Civil and Military Station of Bangalore, of the lighting rate, under section 195 of the Bangalore Municipal Regulations of 1883, payable by the Secretary of State for India in Council in respect of military buildings within the Municipal limits of the said Station.

[*Gazette of India*, 1891, Pt. I, p. 689.]

No. 1686, dated the 10th June 1886.—In supersession of the notification of the Resident in Mysore, No 7, dated 31st May 1884, the Resident in Mysore is pleased, under the provisions of section 220 A<sup>2</sup> of the Indian Companies Act (VI of 1882), to appoint the Assistant to the Resident in Mysore for the time being to be Registrar of Companies for the Civil and Military Station of Bangalore with effect from 1st July 1886.

[*Gazette of India*, 1886, Pt. II, p. 383.]

Municipal Taxation Act, 1881.

Prohibition of tax upon persons of certain professions.

Prohibition of lighting rate in military buildings.

Indian Companies Act, 1882.

Appointment of First Assistant Resident to be Registrar of Companies.

<sup>1</sup> For the corresponding notification under the Bangalore Municipal Law, 1897, see p. 725 *infra*.

<sup>2</sup> Read "220(a)."

No. 43, dated the 1st June 1903.—In exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act (IV of 1884), as applied to the Civil and Military Station of Bangalore, by the notification of the Government of India in the Foreign Department<sup>1</sup> No. 5030-I.A, dated the 15th November 1900, the Resident in Mysore, with the previous sanction of the Governor-General in Council is pleased to make the following rules to regulate the transport, manufacture, possession and sale of explosives in the Civil and Military Station of Bangalore and on the Railways in Mysore under British jurisdiction.

All rules heretofore made by the Resident in Mysore under the said Act for regulating the transport, manufacture, possession or sale of explosives are hereby cancelled.

[Nothing in these rules shall apply to—

(i) the packing or transport of

(a) capped safety cartridge cases, if otherwise empty, when packed or transported in the same consignment with arms covered by a license granted under the Indian Arms Act, 1878 (XI of 1878), or

(b) toy fireworks, such as paper caps for toy pistols, under such conditions and in such quantities as the Resident in Mysore on the recommendation of the Chief Inspector of Explosives may from time to time determine, and

(ii) the manufacture, possession or sale of toy fireworks, such as paper caps for toy pistols, under such conditions and in such

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\* Further exemptions are made by section 14 of the Indian Explosives Act, 1884, which runs as follows:—

Saving for manufacture, possession, use, sale, transport or importation by Government.	“Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—
--	--

(a) by order of the Government, or

(b) by any person employed under the Government in the execution of this Act, or as a keeper of a magazine, artisan, soldier, sailor, policeman, or otherwise or enrolled as a volunteer, under the Indian Volunteers Act, 1869, in the course of his employment or duty as such.”

<sup>1</sup> See now notification No. 732-D, dated the 19th March 1913. Printed Vol. I, p. 390.

quantities as the Resident in Mysore, on the recommendation of the Chief Inspector of Explosives, may from time to time determine. 1]

### *Preliminary.*

1. (I) For the purposes of these rules, explosives shall be classified as follows, namely :—

Class 1	. . . . .	Gunpowder.	
Class 2	. . . . .	Nitrate-mixture.	Classification of explosives.
Class 3	. . . . .	Nitro-compound.	
Class 4	. . . . .	Chlorate-mixture.	
Class 5	. . . . .	Fulminate.	
Class 6	. . . . .	Ammunition.	
Class 7	. . . . .	Firework.	

(2) When any explosive falls within more than one of the said classes, it shall be deemed to belong exclusively to the latest of such classes.

2. The expression "gunpowder," as used in these rules, means exclusively Definition of "gunpowder" (class 1).  
gunpowder ordinarily so called.

3. The expression "nitrate-mixture," as used in these rules, means any Definition of "nitrate-mixture" (class 2)  
preparation other than gunpowder, which is formed by the mechanical mixture of nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

Nitrate-mixture includes among other explosives,—

Chilworth special powder,		Ripp-Lene,
Fortis explosive,		Safety blasting powder, and
	Westfallite.	

4. (I) The expression "nitro-compound" as used in these rules means any Definition and sub-division of "nitro-compound" (class 3)  
chemical compound which is possessed of explosive properties, or is capable of combining with metals to form an explosive compound, and is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid) or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

<sup>1</sup> Substituted by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910, Pt. II, p. 1858.

(2) Nitro-compound shall, for the purposes of these rules, be subdivided as follows, namely :

(a) Division 1, comprising—

(i) such explosives as—

Amberite No. 1,	Dynamite,
Ballistite,	Gelatine Dynamite,
Blasting Gelatine,	Gelignite,
Carbonite,	Lithofracteur,
Cordite,	Nitro-glycerine, and

Stonite, and

(ii) any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound ; and

(b) Division 2, comprising—

(i) such explosives as—

Amberite No. 2,	Nitrated gun-cotton,
Ammonite,	Picrates,
Bellite,	Picric powder,
Coopal's powder,	Roburite,
Cotton gunpowder,	Sawdust and gun-cotton
E. C. powder,	powder,
Gun-cotton ordinarily so-called.	Schultz's powder, and
	Tenite (or cotton-powder), and

(ii) any nitro-compound, as hereinbefore defined, which is not comprised in division 1.

5. (1) The expression "chlorate-mixture," as used in these rules, means

any explosive containing a chlorate.

(2) Chlorate-mixture shall, for the purposes of these rules, be subdivided as follows, namely :

(a) Division 1, comprising—

(i) such explosives as—

Horsley's blasting powder, and  
Hrain's blasting powder, and

(ii) any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising—

(i) such explosives as—

Horsley's original blasting powder,	Hochstadler's blasting charges,
Erhardt's powder.	Reichen's blasting charges.
Reveler's powder,	Tenonite, and

Chlorated gun-cotton, and

Definition and sub-division of "chlorate-mixture" (class 4).

(ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in division 1.

6. (1) The expression "fulminate," as used in these rules, means any chemical compound or mechanical mixture, whether included in any of the foregoing definitions or not, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliance for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

Definition and sub-division of "fulminate" (class 5).

(2) Fulminate shall, for the purposes of these rules, be sub-divided as follows, namely:

(a) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of compounds of phosphorus, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and

(b) Division 2 comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

7. (1) The expression "ammunition," as used in these rules, means any explosive included in any of the foregoing definitions, when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form—

Definition of "ammunition" "percussion-cap," "detonator," "safety fuze" and "safety cartridge," and "sub-division of ammunition" (class 6).

- (a) a cartridge or charge for small arms, cannon or any other weapon, or for blasting, or
- (b) a safety or other fuze for blasting or for shells, or
- (c) a tube for firing explosives, or
- (d) a percussion-cap, a detonator, a fog-signal, a shell, a torpedo, a war-rocket, or any other contrivance other than a fire-work.

(2) The expression "percussion-cap," as used in these rules, does not include a detonator.

(3) The expression "detonator," as used in these rules, means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(2) Nitro-compound shall, for the purposes of these rules, be subdivided as follows, namely:

(a) Division 1, comprising—

(i) such explosives as—

Amberite No. 1,		Dynamite,
Ballistite,		Gelatine Dynamite,
Blasting Gelatine,		Gelignite,
Carbonite,		Lithofracteur,
Cordite,		Nitro-glycerine, and
	Stonite, and	

(ii) any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound; and

(b) Division 2, comprising—

(i) such explosives as—

Amberite No. 2,		Nitrated gun-cotton,
Ammonite,		Picrates,
Bellite,		Pierio powder,
Coopal's powder,		Roburite,
Cotton gunpowder,		Sawdust and gun-cotton
E. C. powder,		powder,
Gun-cotton ordinarily so-called.		Schultz's powder, and
		Tonite (or cotton-powder), and

(ii) any nitro-compound, as hereinbefore defined, which is not comprised in division 1.

Definition and sub-division of "chlorate-mixture" (class 4).

5. (1) The expression "chlorate-mixture," as used in these rules, means any explosive containing a chlorate.

(2) Chlorate-mixture shall, for the purposes of these rules, be subdivided as follows, namely:

(a) Division 1, comprising—

(i) such explosives as—

Horsley's blasting powder, and  
Brain's blasting powder, and

(ii) any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(b) Division 2, comprising—

(i) such explosives as—

Horsley's original blasting powder,		Hochstadter's blasting charges,
Erhardt's powder.		Reichen's blasting charges,
Reveley's powder,		Teutonite, and

Chlorated gun-cotton, and

(ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in division 1.

6. (1) The expression "fulminate," as used in these rules, means any chemical compound or mechanical mixture, whether included in any of the foregoing definitions or not, which, from its great susceptibility to detonation, is suitable for employment in percussion-caps or any other appliance for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

Definition and sub-division of "fulminate" (class 5).

(2) Fulminate shall, for the purposes of these rules, be sub-divided as follows, namely:

(a) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of compounds of phosphorus, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and

(b) Division 2 comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

7. (1) The expression "ammunition," as used in these rules, means any explosive included in any of the foregoing definitions, when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form—

Definition of "ammunition" "percussion-cap," "detonator," "safety fuze" and "safety cartridge," and "sub-division of ammunition" (class 6).

(a) a cartridge or charge for small arms, cannon or any other weapon, or for blasting, or

(b) a safety or other fuze for blasting or for shells, or

(c) a tube for firing explosives, or

(d) a percussion-cap, a detonator, a fog-signal, a shell, a torpedo, a war-rocket, or any other contrivance other than a fire-work.

(2) The expression "percussion-cap," as used in these rules, does not include a detonator.

(3) The expression "detonator," as used in these rules, means a capsule or case which is of such strength and construction, and contains fulminate in such quantity, that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.



(4) The expression "safety fuze," as used in these rules, means a fuze for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction and contains an explosive in such quantity, that the burning of such fuze would not communicate laterally with other like fuzes.

(5) The expression "safety cartridge," as used in these rules,—

- (i) means a cartridge for small arms, the case of which can be extracted from the small-arms after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and
- (ii) includes a rifle-calibre machine-gun cartridge, if it is as described in clause (i) whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (ii) does not exceed one inch.

(6) Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:

(a) Division 1, comprising exclusively—

Safety cartridges,  
Safety fuzes for blasting,  
Railway fog-signals, and  
Percussion-caps; and

(b) Division 2, comprising any ammunition, as hereinbefore defined, which does not contain its own means of ignition and is not included in Division 1, such as—

Cartridges for small arms, other than safety cartridges,  
Cartridges and charges for cannon, shells, mines, blasting or other like purposes,  
Shells and torpedoes containing any explosive,  
Fuzes for blasting, other than safety fuzes,  
Fuzes for shells,  
Tubes for firing explosives, and  
War-rockets,  
which do not contain their own means of ignition; and

(c) Division 3, comprising any ammunition, as hereinbefore defined, which contains its own means of ignition and is not included in Division 1, such as—

Detonators,

Cartridges for small-arms, which are not safety cartridges,  
 Fuzes for blasting, which are not safety fuzes,  
 Fuzes for shells, and,  
 Tubes for firing explosives,  
 containing their own means of ignition.

*Explanation.*—The expression “ammunition containing its own means of ignition” means ammunition having an arrangement, whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

8. Fireworks shall, for the purposes of these rules, be sub-divided as Sub-division of “firework” (class 7). follows, namely :

(1) Division 1, comprising fire-work compositions, that is to say,—

(a) any chemical compound or mechanically mixed preparation of an explosive or inflammable nature, which is used for the purpose of making manufactured fire-works, and is not included in any of the foregoing definitions,

(b) any star, and

(c) (except as declared in the proviso to this rule) any coloured fire composition ; and

(2) Division 2, comprising manufactured fire-works, that is to say, any explosive of class 1, 2, 3, 4,\*<sup>1</sup> or 6 and any fire-work composition when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib cracker, toy cap or amorce, serpent, rocket (other than a war-rocket) maroon, lance, wheel, Chinese fire, Roman candle, or other article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals :

Provided that a substantially constructed and hermetically closed metal case containing not more than 1 lb. of coloured fire composition of such a nature as not to be liable to spontaneous ignition shall be deemed to be a “manufactured fire-work” and not a “fire-work composition.”

#### TRANSPORT.

<sup>2</sup>[8-A. (1) Explosives required for blasting purposes shall not be trans- Licenses for transport. ported by holders of licenses granted in Form D, Form II. or Form I in the Schedule, except under and in accordance with the conditions of a license to transport the same.

<sup>1</sup> Omitted } by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910, Pt II,  
<sup>2</sup> Added } p. 1858.

(2) The following general rules shall be observed with respect to the grant of such licenses :—

- I. Any such person may be granted a license for the general transport of explosives required for blasting purposes for any term not exceeding one year. The license shall be issued free of charge and shall be in Form I hereto annexed.
- II. A license under Rule I shall be granted by the District Magistrate of the Civil and Military Station of Bangalore.
- III. Every person who wishes to obtain a license under Rule I shall apply in writing to the authority empowered to grant such license, and shall furnish particulars as to the place from which, and the place or places to which, he desires to transport explosives.
- IV. When the place or places to which explosives are to be transported are outside the Civil and Military Station of Bangalore and the railway lands in Mysore over which jurisdiction has been ceded to the British Government, a copy of the license shall be forthwith sent—
  - (a) when the transport of explosives is authorised to a Presidency-town or to Rangoon, to the Commissioner of Police ;
  - (b) when the transport of explosives is authorised to any other place to the Magistrate of the District in which such place is situated.
- V. The license shall entitle the licensee to issue passes for the transport of explosives required for blasting purposes from the place from which the explosives are to be transported as entered in the license, to any place or places to which the explosives may be transported as entered in the license, subject to the conditions mentioned in the license.
- VI. The pass issued under Rule V shall accompany each consignment of explosives transported.  
 In the case of explosives transported by rail, the pass shall be attached to the waybill or invoice, as the case may be.
- VII. A copy of every pass issued under Rule V shall be forthwith sent to the licensing authority and in cases where the explosives are being transported to a place beyond the local limits of the authority of the officer who has granted the license, to the Magistrate of the district in which such place is situated, or if such place be in a Presidency-town or Rangoon, to the Commissioner of Police.

(3) The holder of a license in Form C-1 hereto annexed shall not be required to take out a separate license for the transport of gunpowder or other explosives covered by such license.

[8-B. Whoever transports an explosive required for blasting purposes in contravention of the foregoing rules or commits a breach of any condition subject to which such transport is permitted shall be punishable with a fine which may extend to one thousand rupees. Penalty.

8-C. Every license to transport explosives may, at its expiration, be renewed by the authority who granted it. Renewal of transport licenses.

8-D. Every authority empowered to grant or renew a license may, in his discretion— Discretion of authority empowered to grant transport licenses.

(a) refuse to grant or renew such license, or

(b) refer the application for orders to the Resident in Mysore.]<sup>1</sup>

9. The following general rules shall be observed with respect to the packing of explosives for conveyance:— Packing of explosives for conveyances.

(1) Unless the context otherwise requires—

the expression "outer package" means a box, barrel, case or cylinder, of wood, metal or other solid material, of such strength, construction and character that it will not be broken or accidentally opened, nor become defective or insecure whilst being conveyed, and will not allow any explosive to escape;

the expression "inner package" means a substantial case, bag, canister or other receptacle, made and closed so as to prevent any explosive from escaping;

the expression "authorized explosive" means exclusively an explosive included in a List of Authorized Explosives prepared by the Chief Inspector of Explosives with the Government of India, and published annually in the *Gazette of India*, and in force for the time being;

the expression "propellant" means an authorized explosive of Class 3, adapted and intended exclusively for use as a propelling charge in cannon or small arms; and the expression "special authority" means a written authority granted by the Chief Inspector of Explosives to which may be attached such conditions as may, in the opinion of the Chief Inspector of Explosives, be necessary to meet the special requirements of the case.

(2) The interior of every package shall be free from grit and otherwise clean.

<sup>1</sup>Added by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910, Pt II, p. 1858.

(3) Save as hereinafter provided there shall not be any iron or steel in the construction of any package unless the same is covered with suitable material so as effectually to prevent the exposure of such iron or steel.

(4) Every package when actually used for the packing of one explosive shall not be used for the packing of any other explosive or any other article or substance:

Provided that this rule shall not prevent the packing of inner packages containing a propellant in an outer package with inner packages containing gunpowder or another propellant:

Provided also that this rule shall not prevent the packing of any article which is not of an inflammable or explosive nature, or liable to cause fire or explosion, in the same package as an explosive of the 1st Division of the 6th (Ammunition) Class.

(5) Subject to the foregoing provisions, the following shall be the method of packing authorized explosives of various classes, respectively, and the maximum amounts which may be in any one package:—

Class	Method of packing	Amount in any one outer package.	Amount in any one inner package.
Class 1 . . . . .	A double package, the inner and outer packages being as above defined	100 lbs. 50 lbs.	100 lbs. 25 lbs.
Class 2 . . . . .	As for Class 1 . . . . .	50 lbs.	50 lbs.
Class 3, Division 1, other than propellants	As for Class 1, provided that either the outer or inner packages shall be thoroughly waterproof, and both shall be without metal in the construction thereof.	50 lbs.	5 lbs.
Class 3, Division 1, propellants.	As for Class 1 . . . . .	50 lbs.	50 lbs.
Class 3, Division 2, other than Picric Acid and Wet Ignition.	As for Class 1 . . . . .	50 lbs.	50 lbs.
Picric Acid . . . . .	As for Class 1 . . . . .	Unlimited	Unlimited
Gunpowder or material with water so as to be absolutely non-inflammable	As for class 1, provided that the inner or outer package, or both of them, shall be of such a nature, and so closed, as to prevent any material loss of moisture during conveyance.	Unlimited.	Unlimited

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Class 4 . . .	As for Class 1 . . . . .	50 lbs. . .	50 lbs.
Class 5 . . .	Packed in water. A treble package, the innermost package being a bag permeable to water, enclosed in a case containing sufficient water to ensure the explosive being kept constantly wet; and the outer package containing sufficient water constantly to surround the case. Both the case and the outer package shall be of such construction as will not allow water to escape.	200 lbs. . .	25 lbs.
Class 6, Division 1, other than Pin-fire cartridges for pistols.	authority. A single outer package: . . . . Provided that the above general rule (3) shall not apply to explosives of this division. Provided also that bulletted cartridges of a calibre exceeding 0.5 inch and belonging to this division shall be packed in such a manner that the point of any bullet cannot come in contact with the cap of another cartridge.	Unlimited . .	...
Pin-fire . . . . .	(a) Not exceeding 50 in number in . . . . .	50 in number .	...
	to prevent the firing of any one of the said cartridges by an explosion in any other of the said cartridges		
	(b) Exceeding 50 in number:—In an inner and outer package, the cartridges being packed in inner packages with mill-board as above required.	2,500 in number.	50 in number.
Class 6, Division 2 .	Explosives made up into cartridges or charges for cannon, shells, torpedoes, mines, blasting or other like purposes, shall be packed in such manner and in such quantity as is required for the same explosive when not so made up; provided . . . . .  be such inner package.  Other ammunition of this division:—A single outer package	...   100 lbs. .	...   ...

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package.
Class 6, Division 3, other than Detonators and Electric Detonators.	<p>As for Class 1 . . . . .</p> <p>Provided that bullet cartridges of a calibre exceeding 0.5 inch and belonging to this division shall be packed in such a manner that the point of any bullet cannot come in contact with the cap of another cartridge.</p>	50 lbs. . . . .	2 lbs. or 10 in number, whichever be the greater.
Detonators . . . . .	<p>(a) Not exceeding 1,000 in any one consignment:—As for Class 1, provided that the detonators and the spaces between the same and between the sides of the inner package and the said detonators shall all be filled, as far as practicable, with fine sawdust or other similar material; a layer of felt or other soft yielding material shall be placed between both ends of all the detonators and the interior of the inner package in which the same are placed, in such manner, and so secured, that both ends of the detonators will rest upon the said cotton wool or other material; every inner package, if of metal, to be lined throughout with paper or other soft material; and</p>	1,000 in number.	100 in number.
	<p>(b) Exceeding 1,000 detonators:—</p> <p>The detonators shall be packed in inner packages, with sawdust and cotton wool as above described. Such inner packages shall be placed inside a substantial case of wood or metal, made and closed so as to prevent any of the inner packages escaping therefrom, and such case shall be placed inside an outer package in such manner and so secured as to leave a clear space of not less than three inches between the case and every part of the interior of the said outer package, notwithstanding that such clear space may, if preferred, be filled with sawdust, straw, or other similar material or may contain a light frame work or lattice of wood to keep the case aforesaid in position in the outer package; and</p>	10,000 in number.	100 in number.
	<p>(c) Where the number of detonators exceeds 5,000, such outer package shall be provided with handles or other contrivance by means of which it can be safely and conveniently carried.</p>		

Class.	Method of packing.	Amount in any one outer package.	Amount in any one inner package
Electric Detonators	As for Class 1, provided that where the number in any outer package exceeds 3,000, such outer package shall be provided with handles or other contrivance, by means of which it can be safely and conveniently carried	5,000 in number.	100 in number.
Class 7, Division 1 .	Double package, the inner package being hermetically closed, and contained in an outer package as above defined	20 lbs. . .	1 lb.
Class 7, Division 2 .	Single outer package, provided that the above general rule (3) shall not apply to explosives of this Division.	100 lbs . .	...

(6) Nothing in this rule shall be deemed to prohibit the use of an additional package, whether inner or outer, provided that such additional package shall not be of such character as shall have been prohibited in writing by the Chief Inspector of Explosives.

(7) An explosive which is not an authorized explosive shall be packed in such manner as may be directed by a special authority with reference to such explosive.

(8) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," the name of the explosive, the number of the class and division to which it belongs and the name of the manufacturer or sender.

In the case of explosives of Classes 3 and 4, there shall be added the date of manufacture or issue from the factory, or such sign indicating such date as may be approved by the Chief Inspector of Explosives;

Provided, first, that in the case of cartridges or charges for cannon, shells, mines, blasting or other like purpose, which do not contain their own means of ignition, the marking shall be as for the explosive when not so made up;

Provided, secondly, that in the case of explosives of Class 6, Division (Safety Fuzes excepted), there shall be added the words "Not liable to explode in bulk;"

Provided, thirdly, that in the case of Pin-fire cartridges for pistols there shall be added the words "Pin-fire cartridges;"

Provided, fourthly, that in the case of Safety Fuzes or Gunpowder the word "Explosive" and the number of class and division may be omitted; and



beforehand to the person in charge of such carriage: and all due precautions are taken for the prevention of accidents by fire or explosion:

Provided that there shall not be conveyed in any such carriage any explosive of the 5th (fulminate) class or any explosive of the 3rd division of the 6th (ammunition) class or of the 1st division of the 7th (firework) class, except detonators packed according to Rule 9 to the number of 200.

Provided that the amount of explosive of the 5th (fulminate) class in the detonators shall in no case exceed in the aggregate 3 oz. (a certificate to this effect being given by the Agent of the Company by whom the detonators are tendered for transport).

Provided also that no other explosive is carried in the same compartment.

(ii) With respect to the conveyance by carriage of explosives of the 5th (fulminate) class, or of the 3rd division of the 6th (ammunition) class, or of the 1st division of the 7th (firework) class, or of larger quantities than 5 lbs. of any other explosive, the following regulations shall be observed:

- (1) The person in charge of the carriage shall not drive or conduct the same in a dangerous or reckless manner, and shall take all due precautions to avoid fire and explosion, and no person shall do any act or thing in relation to the explosive which tends to cause fire or explosion, and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance; and a person who is intoxicated shall not have charge of any carriage conveying explosive and shall not be

unnecessarily, at any place where such stopping would be attended with special public danger.

(iii) No explosive belonging to class 1 (gunpowder class), class 2 (nitrate-mixture class), class 3 (nitro-compound class), class 4 (chlorate mixture class) or class 5 (fulminate class), shall be carried, otherwise than by rail, across any railway bridge over which reasonable facilities for the conveyance thereof by rail are afforded by the Railway Administration :

Provided that this prohibition shall not apply in respect of quantities of explosives of class 1 (gunpowder class) or class 3 (nitro-compound class) not exceeding 5 lbs. in weight.

13. The following rules shall be observed with respect to the conveyance of explosives by public railways :—

(i) No person shall send for carriage upon any railway any consignment of an explosive, unless he has given to the officer in charge of the railway station previous notice in writing which, at the option of the Railway Administration, may extend to 48 hours, of his intention to send such consignment, and stating the true name, description, quantity, and mode of packing of the explosive proposed to be conveyed, and his own name and address and also the name and address of the proposed consignee, and unless he has had an intimation in writing from an authorised officer of the railway that such consignment will be received.

(ii) No explosive which a Railway Administration shall, by any notice or regulation for the time being in force, notify that they will not receive, shall be brought, sent, or forwarded to or upon any railway of the said Railway Administration.

(iii) Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants only at such times between sunrise and sunset as the Railway Administration may appoint; and every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station.

All gunpowder under despatch or receipt by a Government arsenal, depôt, or factory shall be loaded or unloaded in the railway vans by Government servants employed in such arsenal, depôt, or factory. In each van used by the railway for the transport of gunpowder the packages of gunpowder shall be secured in such a way as to prevent concussion when the train is in motion.

(iv) An explosive shall be removed by the consignee from the receiving station during the twelve hours of daylight after arrival: if this condition is not strictly complied with, the Railway Administration may return the

(xi) The certificate referred to in rule 13 (ix) shall be valid for six months after date if the examination has been made between the 1<sup>st</sup> August and 31<sup>st</sup> March, but any Railway Administration which accepts dynamite and other nitro-glycerine compounds for transport may demand a fresh certificate for these explosives, if presented for conveyance between 1<sup>st</sup> April and 1<sup>st</sup> July] (both inclusive).

(xii) Packages containing dynamite and other blasting explosives of the 3<sup>rd</sup> (nitro-compound) class, or explosives of the 4<sup>th</sup> (chlorate-mixture), 5<sup>th</sup> (fulminate) classes or of the 1<sup>st</sup> division of the 7<sup>th</sup> (firework) class shall be stowed in one layer only and secured so as to prevent movement during transit, and the gross load in any one wagon shall not exceed 3 tons :

Provided that, if the packages of explosive are in rectangular form and are properly secured so as to prevent movement during transit, they may be stowed in any number of layers not exceeding five, and the gross load in any one wagon shall not exceed 5 tons.

(xiii) No explosive of the 5<sup>th</sup> (fulminate) class or of the 3<sup>rd</sup> division of the 6<sup>th</sup> (ammunition) class, or of the 7<sup>th</sup> (firework) class shall be carried in the same train with any explosive not of the class and division to which it belongs, unless it be sufficiently separated therefrom to prevent any fire or explosion which may take place in one such explosive being communicated to another.

(xiv) Wagons used for the carriage of explosives shall be examined to see that they are sparkproof, and have been cleaned out before they are loaded. Hair, cloth, hides, or other suitable material shall be spread on the floor of the wagon and between each layer of packages except when the packages are covered with gunny or felt, or contain safety cartridges for small-arms packed in tin-lined service-pattern boxes.

(xv) Wagons containing explosives shall be loaded and unloaded on sidings distant as far as possible from the station buildings.

(xvi) Packages containing explosives other than those referred to in rule 13 (xii) shall not be stored in more than three layers one above the other. But if the packages are in rectangular form and of uniform size (provided they are double packages and are so secured as to prevent movement during transit) they may be packed in five layers one above the other. But in the case of safety cartridges, for small-arms packed in tin-lined service-pattern boxes, there is no restriction. Subject to the provisions of rule 11 (iii), the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

(xvii) When the train is being marshalled, wagons loaded with explosives may be shunted by a locomotive, if they are separated from the engine by not less than three wagons containing no explosive nor easily inflammable substance. This precaution is not necessary with wagons specially constructed for the carriage of explosives. The speed of these movements shall be restricted to 5 miles an hour; they shall be superintended by a duly authorised officer, who shall be held responsible for the observance of these orders. Flying shunts are strictly prohibited.

(xviii) Wagons containing explosives shall be placed at the end of the train away from the locomotive, and shall be close coupled to one another as well as to the adjoining wagons, and shall be preceded and followed by three wagons not loaded with explosives or other traffic of an inflammable nature.

(xix) If the wagons employed in the transport of explosives are provided with brakes, other than iron brakes, the brakes thereon shall on no account be worked while the wagons are running with a train, nor shall brakes, other than iron brakes, on vehicles immediately adjoining such wagons, be worked while such wagons are so running.

(xx) Wagons shall in every case be locked when loaded with explosives.

(xxi) All operations connected with the transhipment of explosives at junction stations shall take place during daylight.

14. Whoever commits a breach of any of the foregoing rules relating to Penalty. the mode of conveyance of explosives shall be punishable with a fine which may extend to Rs. 100.

#### MANUFACTURE, POSSESSION AND SALE.

##### *Licenses when required.*

15. (1) An explosive shall not be manufactured except under, and in accordance with the conditions of, a license granted under these rules for such manufacture. License when required for manufacture.

(2) Provided that clause (1) of this rule shall not apply—

- (a) to the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale; or
- (b) to the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use; or
- (c) in the case of any person who holds a license under these rules to possess an explosive, and who, only observing the regulations

prescribed in clause (1) of rule 35 in connection with his magazine or licensed premises, fills with the said explosive, for sale or otherwise, cartridges for small-arms; or

- (d) in the case of any person who holds a license under these rules to possess an explosive, and who duly observing the regulations prescribed in clause (2) of rule 35 in connection with his magazine or licensed premises, by filling cartridges, making charges, or drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry or in some excavation or work carried on by him or under his control.

16. (1) An explosive shall not be possessed except under, and in accordance with the conditions of, a license granted under these rules for such possession.

(2) Provided that clause (1) of this rule shall not apply to the possession—

- (a) of any explosive by a carrier or other person for the purpose of transport, when the same is being kept or transported in accordance with rules 9 to 14.
- (b) by any person who is lawfully entitled under the Indian Arms Act, 1878 (XI of 1878), or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, of such explosives in such quantities as may be prescribed by the said Act, or rules, or when no quantities are so prescribed, in reasonable quantities for his own private use; or
- (c) by any person, of manufactured fireworks in any quantity not exceeding two hundred pounds when the same are obtained and intended for immediate use and not for sale, and are possessed by such person for a period not exceeding fourteen days, and when they are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to the explosives; and (if such fireworks be kept in a municipality in any quantity exceeding fifty pounds) when they are covered by a permit issued by a Magistrate of the first class or a Police-officer not below the rank of District Superintendent of Police.

(3) Provided also that clause (1) of this rule shall not apply to the possession by any person, for his private use and not for sale, of—

- (i) gunpowder in any quantity not exceeding thirty pounds; or
- (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or
- (iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder; or
- (iv) cartridges for cannon or blasting, made with gunpowder and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or
- (v) cartridges for small-arms made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or
- (vi) small-arm nitro-compound in any quantity not exceeding ten pounds; or
- (vii) percussion-caps or safety fuzes for blasting; or
- (viii) railway fog-signals and flare-lights, when kept by a railway company for use on their Railway; or

\* \* \* \* \*

(4) The quantity of any kind of explosive kept by any person for his private use under clause (3) without a license shall be in substitution for the like quantity of any other kind of explosive (whether gunpowder or not) which might otherwise be so kept by him; and the quantity of such other kind of explosive shall be reduced accordingly: provided that, if the explosive so kept is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so reduced shall be some explosive other than safety cartridges made with gunpowder.

(5) Notwithstanding anything contained in clause (3) or clause (4) of this rule, clause (1) shall apply to the possession for private use of explosives of the 5th (fulminate) class in any quantity.

17. Nothing in these rules shall be deemed to authorise the possession of any explosive in contravention of any prohibition under section 6 of the Indian Explosives Act, 1884 (IV of 1884), and for the Act, 1894, time being in force.

18. (1) An explosive shall not be sold except under, and in accordance with the conditions of, a license granted under these rules for such sale. License when required for sale.

<sup>1</sup> Omitted by notification No. 87, dated the 5th December 1910 *Gazette of India*, 1910. Pt. II, p. 1858.



(3) Provided also that clause (1) of this rule shall not apply to the possession by any person, for his private use and not for sale, of—

- (i) gunpowder in any quantity not exceeding thirty pounds ; or
- (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder ; or
- (iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder ; or
- (iv) cartridges for cannon or blasting, made with gunpowder and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder ; or
- (v) cartridges for small-arms made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound ; or
- (vi) small-arm nitro-compound in any quantity not exceeding ten pounds ; or
- (vii) percussion-caps or safety fuzes for blasting ; or
- (viii) railway fog-signals and flare-lights, when kept by a railway company for use on their Railway ; or

\* \* \* \* \*

(4) The quantity of any kind of explosive kept by any person for his private use under clause (3) without a license shall be in substitution for the like quantity of any other kind of explosive (whether gunpowder or not) which might otherwise be so kept by him ; and the quantity of such other kind of explosive shall be reduced accordingly : provided that, if the explosive so kept is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so reduced shall be some explosive other than safety cartridges made with gunpowder.

(5) Notwithstanding anything contained in clause (3) or clause (4) of this rule, clause (1) shall apply to the possession for private use of explosives of the 5th (fulminate) class in any quantity.

17. Nothing in these rules shall be deemed to authorise the manufacture or possession of any explosive in contravention of any prohibition notified under section 6 of the Indian Explosives Act, 1881 (IV of 1881), and for the time being in force. Saving of notifications under section 6 of the Explosives Act, 1881.

18. (1) An explosive shall not be sold except under, and in accordance with the conditions of, a license granted under these rules for such sale. License when required for sale.

<sup>1</sup> Omitted by notification No. 57, dated the 24th December 1910 *Gazette of India*, 1910, Pt. II, p. 1525



prescribed in clause (1) of rule 35 in connection with his magazine or licensed premises, fills with the said explosive, for sale or otherwise, cartridges for small-arms; or

- (d) in the case of any person who holds a license under these rules to possess an explosive, and who duly observing the regulations prescribed in clause (2) of rule 35 in connection with his magazine or licensed premises, by filling cartridges, making charges, or drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry or in some excavation or work carried on by him or under his control.

16. (1) An explosive shall not be possessed except under, and in accordance with the conditions of, a license granted under these rules for such possession.

(2) Provided that clause (1) of this rule shall not apply to the possession—

- (a) of any explosive by a carrier or other person for the purpose of transport, when the same is being kept or transported in accordance with rules 9 to 14.
- (b) by any person who is lawfully entitled under the Indian Arms Act, 1878 (XI of 1878), or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, of such explosives in such quantities as may be prescribed by the said Act, or rules, or when no quantities are so prescribed, in reasonable quantities for his own private use; or
- (c) by any person, of manufactured fireworks in any quantity not exceeding two hundred pounds when the same are obtained and intended for immediate use and not for sale, and are possessed by such person for a period not exceeding fourteen days, and when they are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to the explosives; and (if such fireworks be kept in a municipality in any quantity exceeding fifty pounds) when they are covered by a permit issued by a Magistrate of the first class or a Police-officer not below the rank of District Superintendent of Police.

(3) Provided also that clause (1) of this rule shall not apply to the possession by any person, for his private use and not for sale, of—

- (i) gunpowder in any quantity not exceeding thirty pounds; or
- (ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or
- (iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder; or
- (iv) cartridges for cannon or blasting, made with gunpowder and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or
- (v) cartridges for small-arms made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or
- (vi) small-arm nitro-compound in any quantity not exceeding ten pounds; or
- (vii) percussion-caps or safety fuzes for blasting; or
- (viii) railway fog-signals and flare-lights, when kept by a railway company for use on their Railway; or

\* \* \* \* \*

(4) The quantity of any kind of explosive kept by any person for his private use under clause (3) without a license shall be in substitution for the like quantity of any other kind of explosive (whether gunpowder or not) which might otherwise be so kept by him; and the quantity of such other kind of explosive shall be reduced accordingly: provided that, if the explosive so kept is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so reduced shall be some explosive other than safety cartridges made with gunpowder.

(5) Notwithstanding anything contained in clause (3) or clause (4) of this rule, clause (1) shall apply to the possession for private use of explosives of the 5th (fulminate) class in any quantity.

17. Nothing in these rules shall be deemed to authorise the manufacture or possession of any explosive in contravention of any prohibition notified under section 6 of the Indian Explosives Act, 1884 (IV of 1884), and for the time being in force. Saving of notifications under section 6 of the Explosives Act, 1884.

18. (1) An explosive shall not be sold except under, and in accordance with the conditions of, a license granted under these rules for such sale. License when required for sale.

<sup>1</sup> Omitted by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910. Pt. II, p. 1858

(2) Provided that clause (1) of this rule shall not apply to the sale by any person of an explosive, which he is lawfully entitled to possess for his own private use, to any person who is lawfully entitled to possess the same.

*Grant of licenses.*

Grant of licenses for manufacture, possession and sale in certain cases.

19. (1) Licenses to manufacture, possess and sell, or to possess and sell, or to possess, or to sell from stock kept in a magazine in respect of which a license has been granted under rule 22

- (a) an explosive of the 1st (gunpowder) class, or
- (b) small-arm nitro-compound belonging to the 3rd class, or
- (c) an explosive of the 1st division of the 6th (ammunition) class, or
- (d) an explosive of the 7th (firework) class

may be granted by the District Magistrate.

(2) A license granted under this rule shall not entitle the licensee to possess at the same time more than —

- (i) two hundred pounds of gunpowder or small-arm nitro-compound, together with any quantity of explosives contained in ammunition of the 1st division of the 6th (ammunition) class, or
- (ii) two hundred pounds of manufactured fireworks, or
- (iii) sixty pounds of explosives (including gunpowder, small-arm nitro-compound and manufactured fireworks), together with any quantity of explosives contained in ammunition of the 1st division of the 6th (ammunition) class, or
- (iv) any such less quantity of any of the said explosives as the licensing officer may think fit to specify in the license :

(3) Every such license shall specify the place in which alone the explosives referred to in it may be kept; and such place shall (except in the case of a license to sell from stock kept in a magazine in respect of which a license has been issued under rule 22) be approved by the licensing authority.

(4) Every license granted under this rule shall be in Form A, Form B, or Form C, in the schedule hereto annexed, as the case may be, and shall contain the conditions prescribed therein.

(5) The expression "small-arm nitro-compound" as used in this rule, means a nitro-compound adapted and intended exclusively for use in cartridges for small-arms.

<sup>1</sup>[10-A. (1) Licenses may be granted to contractors, cultivators or other persons to possess at the same time not more than 100 lbs. of gunpowder, 10 lbs. of other explosives and 100 detonators when the same are proved to the

Grant of licenses to contractors, cultivators or other persons to possess explosives for land side blasting purposes.

satisfaction of the officer granting the license to be required *bond fide* for blasting purposes.

(2) Licenses under this rule may be granted by the District Magistrate.

Every such license shall be in Form C-1 hereto annexed and shall contain the conditions prescribed therein.]

20. (1) Licenses to manufacture explosives in cases not provided for by rule 19 may be granted by the Governor-General in Council. Grant of licenses for manufacture in cases not provided for by rule 19.

(2) Every such license shall be in such form and shall contain such conditions as may be prescribed by the Governor-General in Council.

Provided that the conditions so prescribed in the case of the manufacture of any explosive in any quantity shall comprise all the conditions prescribed in these rules and the Forms hereto annexed in the case of the possession of such explosive in such quantity.

21. (1) Licenses for the possession, at such places as may be approved by the licensing officer, of explosives other than those specified in rule 19 may, if the explosive is not one of the 5th (fulminate) class, and if the quantity to be possessed at the same time does not exceed sixty pounds, be granted by the District Magistrate. Grant of licenses for possession in certain cases not provided for by rule 19.

(2) Every such license shall be in Form D in the schedule hereto annexed and shall contain the conditions prescribed therein.

22. (1) Licenses for the possession of explosives in, and the sale of explosives from, a magazine in cases not provided for by rules 19 and 21, may, if the explosive is not one of the 5th (fulminate) class, be granted by the Resident, or by any officer authorized by the Resident in this behalf. Grant of licenses for possession in, and sale from, a magazine in certain other cases.

(2) An applicant for such a license must submit to the District Magistrate an application in Form E in the schedule hereto annexed, and shall comply with the conditions embodied therein.

(3) Upon receipt of the said application, the District Magistrate shall forthwith cause notice to be published of the application and fix a day on which will be heard any persons who object to the establishment of a magazine on the proposed site and who have, not less than seven clear days before the day of hearing, sent to the said District Magistrate, and to the applicant, notice of their intention to appear and object with their name, address and calling, and a short statement of the grounds of their objection.

(4) The day of hearing to be fixed under clause (3) shall be a day following soon after the expiration of a period of one month from the publication and service of the notices prescribed by this rule.

(5) Where the site of the proposed magazine lies within, or within one mile of, the limits of the jurisdiction of any Municipal Authority, the

applicant shall prepare, for service on such Authority, a notice of the application and of the said day of hearing.

(6) The notice by the District Magistrate under clause (3) shall be published, and the notice under clause (5) shall be served, at the cost of the applicant, by the District Magistrate, not less than one month before the said day of hearing.

(7) On consideration of the application, and on making such inquiry as he may deem necessary, the District Magistrate may dissent altogether from the establishment of the magazine on the proposed site, or may assent thereto, either absolutely, or on any, conditions requiring additional restrictions or precautions.

(8) On the completion of the inquiry, the District Magistrate shall forward the application and draft license with his recommendation to the Chief Inspector of Explosives, who shall forward to the applicant a statement in Form F in the schedule hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine. The table of distances which will ordinarily be followed is that annexed to these rules.

(9) The said Form F shall be returned, with the third column duly filled in, by the applicant to the Chief Inspector of Explosives, who shall submit it to the licensing authority constituted by clause (1) of this rule, with his recommendations, and with the draft license and a statement in Form G showing the distances which, after considering any representation made by the applicant when returning Form F to him, he considers should be kept clear round the magazine.

(10) The licensing authority may thereupon grant the license as applied for, or with such modifications or restrictions as may be deemed proper, or may reject the application.

(11) A copy of each license granted shall be forwarded to the Chief Inspector of Explosives, and the original license shall be forwarded to the District Magistrate if the license has not been granted by him.

(12) The District Magistrate, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license; and unless and until so confirmed the license shall not come into force.

(13) If the District Magistrate decides not to confirm any license, he shall forthwith inform the Chief Inspector of Explosives.

(14) Every license granted under this rule shall be in Form II in the schedule hereto annexed, and shall contain the conditions prescribed therein.

23. (1) With the previous sanction of the Governor-General in Council, the Resident may, in cases of urgency and for any period not exceeding six

months, grant a license for the possession of explosives under rule 22 in a floating magazine.

(2) Notwithstanding anything contained in clause (14) of rule 22, such licenses shall be in Form I in the schedule hereto annexed, and shall contain the conditions and restrictions prescribed therein and such further conditions and restrictions (if any) as the Resident may in any case direct.

24. Licenses for the possession of explosives of the 5th (fulminate) class may be granted by the Governor-General in Council in such form, and subject to such conditions, as he may in each case prescribe. Grant of licenses for possession of fulminates

25. (1) Licenses for the sale of explosives in cases not provided for by rules 19 and 22 may be granted, by the District Magistrate, to any person licensed to possess the same. Grant of licenses for sale in cases not provided for by rules 19 and 22.

(2) Every such license shall be in Form J in the schedule hereto annexed, and shall contain the conditions prescribed therein.

#### *Duration of licenses.*

26. All licenses granted under any of these rules except rule 23 shall expire on the 31st day of December of the year for which they are granted. Duration of licenses.

#### *Renewal of licenses.*

27. The Resident may, from time to time, renew, on the same or on altered conditions, any license granted by the Governor-General in Council under rule 20 for the manufacture of explosives: Renewal of licenses granted under rule 20.

Provided as follows:—

(1) no such renewal shall admit of the manufacture of any explosive other than that specified in the original license;

(2) every such renewal shall first be approved by an Inspector of Explosives; and

(3) every such renewal shall be for a period not exceeding one year.

28. (1) Any licensee who desires the renewal of a license granted under rule 22 must, before the expiration of the license, submit the license to the Chief Inspector of Explosives, with a written application stating the quantity and description of explosives for the storage of which he desires the license to be renewed. Renewal of license granted under rule 22.

(2) On receipt of such application the Chief Inspector of Explosives shall, if there is any variation in the particulars of the license, send to the applicant a statement in Form F in the schedule hereto annexed, showing the distances which should, in his opinion, be kept clear round the magazine.

(3) The procedure prescribed in clauses (9) to (13) of rule 22 shall then be followed, so far as it is applicable.

Renewal of other  
licenses.

29. Any license granted under any of these rules other than rule 20 or rule 22 may, unless the circumstances have so changed that the grant of a new license either would not be authorised under the Indian Explosives Act, 1884 (IV of 1884), and these rules, or is deemed objectionable by the licensing authority, be renewed on application made previous to its expiration.

#### *Duplicate licenses.*

Grant of duplicate  
licenses.

30. When a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee.

#### *Temporary licenses.*

Disposal of stock  
and grant of tempo-  
rary license on ex-  
piration or forfeiture  
of license.

31. (1) A person licensed to manufacture, possess or sell any explosives shall, on the expiration or forfeiture of his license, forthwith give notice to the District Magistrate of the quantity of such explosives then in his possession, and shall comply with any directions which the said Magistrate may think fit to give in regard to the possession or transport of the same.

(2) On receiving a notice under clause (1) of this rule, the said Magistrate may grant, for a term not exceeding three months, a temporary license for the possession or sale of the actual stock of explosives which is held at the time of the issue of such license.

#### *Fees for licenses.*

Amount of fees.

32. The following fees shall be charged for licenses granted under these rules, namely:—

A—Each license granted under rule 10—

- |   |               |
|---|---------------|
| (1) to manufacture, possess and sell the maximum quantity of explosives mentioned in the said rule, or any less quantity exceeding one-half . . . . . | Twenty rupees |
| (2) to manufacture, possess and sell half the quantity of explosives mentioned in the said rule, or any less quantity exceeding one-fourth . . . . .  | Ten rupees.   |
| (3) to manufacture, possess and sell a fourth of the quantity of explosives mentioned in the said rule, or any less quantity . . . . .                | Five rupees.  |
| (4) to possess and sell the maximum quantity of explosives mentioned in the said rule, or any less quantity exceeding one-half . . . . .              | Ten rupees.   |

- (5) to possess and sell half the quantity of explosives mentioned in the said rule, or any less quantity exceeding one-fourth . . . . . Five rupees.
- (6) to possess and sell a fourth of the quantity of explosives mentioned in the said rule, or any less quantity . . . . . Two rupees and eight annas
- (7) to possess explosives . . . . . Eight annas.

**B—Each license granted under—**

- rule 20 or rule 24 . . . . . Such fee as the Governor-General in Council may in each case prescribe.
- rule 21 or rule 25 . . . . . Five rupees.
- rule 22 or rule 23 . . . . . Twenty rupees.

- C—Each license on renewal . . . . .** The same fee as that charged for the original license.

- D—Each duplicate license granted under rule 30 . . . . .** Eight annas.

- E—Each temporary license granted under rule 31 . . . . .** A fee bearing the same proportion to the fee charged for the annual license as the period covered by the temporary license bears to a full year.

- F—Each new license granted under rule 42 . . . . .** One rupee

**33. Notwithstanding anything contained in rule 32,**

- (1) the holder of a license duly granted in Form VI-B, or in Form VII-B, under rule 11 of the rules made under the Indian Arms Act, 1878 (XI of 1878), may on production of such license before the District Magistrate, be granted a license under rule 19 of the<sup>1</sup> rules without payment of any fee, and
- (2) [No fee shall be charged for licenses granted to contractors, cultivators or other persons under rule 19-A.]<sup>2</sup>

Exemptions from payment of fees.

<sup>1</sup> *Sic.* Read "these."

<sup>2</sup> Substituted by notification No. 87, dated the 24th December 1910 *Gazette of India*, 1910, Pt. II, p. 1838.



*Stamps for pay-  
ment of fees.*

34. (1) The fees chargeable under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant of the renewal of a license shall bear the proper stamp: provided that if the application is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, *minus* the deductions prescribed by section 54 of the Indian Stamp Act, 1929 (II of 1929), may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

(2) Where the fees leviable under these rules have been made over to any local body, the fees shall be paid in such manner as that local authority may from time to time direct.

(c) the licensee shall give notice to the authority which granted his license that he intends to carry on such filling of cartridges as is allowed by this rule.

(2) When any person referred to in sub-clause (d) of clause (2) of rule 15 adapts or prepares explosives as indicated in that clause, he shall see to the observance of the following regulations, namely:—

- (i) there shall not be in the workshop in which such adaptation or preparation is carried on more than one hundred pounds of gunpowder, or such quantity of any other explosive as is prescribed by the Resident in this behalf;
- (ii) no work unconnected with such adaptation or preparation shall be carried on in the said workshop while such adaptation or preparation is being carried on;
- (iii) the said workshop shall be detached from the magazine or licensed premises, but shall be situated in the immediate neighbourhood thereof, and shall be situated at such distance therefrom as may be specified on the license by the authority granting the same;
- (iv) an explosive of one description shall not be converted into an explosive of another description, and an explosive shall not be unmade or resolved into its ingredients; and
- (v) the licensee shall give notice to the authority which granted his license that he intends to carry on such adaptation or preparation as is allowed by this rule.

36. Any authority granting a license under these rules may, if such authority thinks fit, direct, by an order written on the license, that it shall have the effect of a like license granted by the like authority under the Indian Arms Act, 1878 (XI of 1878). Power to extend effect of license.

37. (1) Any of the officers mentioned in clause (2) of this rule may, within the areas respectively specified in that clause, but subject to the provisions of the Indian Arms Act, 1878 (XI of 1878), and of any rules for the time being in force thereunder, in cases to which that Act applies— Powers of inspection, search, seizure, etc.

- (a) enter, inspect and examine any place or carriage in which an explosive is being transported, manufactured, possessed or sold as the case may be, under a license granted under these rules or any prior rules made under the Indian Explosives Act, 1884 (IV of 1884), or in which he has reason to believe that an explosive has been or is being transported, manufactured, possessed or sold in contravention of the said rules or Act;

- (b) search for explosives therein;
- (c) take samples of any explosives found therein, on payment of the value thereof; and
- (d) seize, detain, remove and, if necessary, destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.
- (2) The officers and areas referred to in clause (1) of this rule are:—

Officers.	Areas.
The Chief Inspector and Inspectors of Explosives.	In all parts of the Civil and Military Station of Bangalore and on the Railways.
The District Magistrate.	
The Superintendent or an Inspector of Police.	
All Magistrates subordinate to the District Magistrate.	Within the areas respectively subject to their jurisdiction.

(3) Whenever the Chief Inspector or an Inspector of Explosives, or the Superintendent or an Inspector of Police or any Magistrate subordinate to the District Magistrate, seizes, detains or removes any explosives under this rule he shall report the fact to the District Magistrate.

(4) Neither the Chief Inspector nor an Inspector of Explosives, nor the Superintendent, nor an Inspector of Police, nor any Magistrate subordinate to the District Magistrate, shall under these rules destroy or otherwise render harmless any explosive without the previous sanction of the District Magistrate, unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owning the explosive or having the same under his control at the time of seizure; and whenever any officer other than the District Magistrate deals with any explosive, he shall report the circumstances to the District Magistrate.

88. (1) Every person holding a license, or acting under a license or pass,<sup>1</sup> granted under these rules, shall be bound to produce the same, or an authenticated copy kept at the magazine or place to which the license or pass<sup>1</sup> applies, when called upon to do so by any Inspector of Explosives, any

<sup>1</sup> Inserted by not. Section No. 87, dated the 3rd December 1910 *Gazette of India*, 1910. Pt. II, p. 4858.

Magistrate, any Police officer in charge of a police-station, or any Police-officer of higher rank.

(2) Copies of any such license may, for the purposes of this rule, be authenticated free of charge by any of the officers aforesaid or by the authority which granted the license.

39. All Magistrates and other authorities shall, in the exercise of their Control over officers, functions under these rules, be subject to the control of their immediate executive superiors and of the Resident.

### *Penalties.*

40. Whoever commits any offence mentioned in column 1 of the following Fines table shall be punishable with fine which may extend to the amount mentioned in that behalf in column 2 of that table:—

Offences	Fine which may be imposed.
Manufacturing an explosive in contravention of rule 15 . . . . .	Three thousand rupees.
Possessing an explosive do. do. 16 . . . . .	One thousand rupees.
Selling an explosive do. do. 18 . . . . .	Five hundred rupees
Committing a breach of any condition in a license granted under—	
rule 19 or rule 25 . . . . .	Five hundred rupees
rule 21, rule 22, rule 23, or rule 24 . . . . .	One thousand rupees.
rule 20 . . . . .	Three thousand rupees
Possessing or transporting an explosive in contravention of any direction given under rule 31, clause (1) . . . . .	One thousand rupees.
Failing to produce a license or an authenticated copy thereof, when called upon to do so under rule 33, clause (1) . . . . .	Two hundred rupees.

41. Every license granted under these rules shall be liable to be forfeited on breach of any of the conditions contained therein. Forfeiture of licenses

42. If any person licensed to manufacture, possess or sell or to transport<sup>1</sup> an explosive dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty under these rules for carrying on the business or acting under the license during such reasonable time as may be necessary to admit of his making an application to the authority which granted the license for a new license in his own name during the currency of the unexpired portion of the original license. [Such new license shall be granted Exemption from penalties of persons carrying on business of deceased or disabled licensee.

<sup>1</sup> Inserted by notification No. 87, dated the 5th December 1910 *Gazette of India, 1910, Pt. II, p. 1858.*

without payment of any fee in the case of a transport license granted under rule 8-A.]<sup>1</sup>

## SCHEDULE.

Form 1.<sup>1</sup>

(See Rule 8-A.—I.)

[Free of Charge.]

*General license to transport explosives required for blasting purposes.*

(To be granted to holders of licenses in Forms D, H or I in the Schedule.)

A general license is hereby granted to

to transport explosives required for blasting purposes from  
to the places \* specified below subject

to the conditions hereinafter contained.

\* Places of destination

The license shall continue in force till the

The

19

Seal

(Signature.)

### *Conditions of License.*

1. This license is subject to the Indian Explosives Act, 1884 (IV of 1884), and to the rules made thereunder.

2. It becomes void on the expiration of the term mentioned, or if a consignment breaks bulk before reaching the place of destination, or if the explosive is taken from or to any place other than the places mentioned in the license.

3. It authorises the licensee to deliver consignments of explosive material covered by the license, provided :—

- (i) that the consignee has taken out a license for the possession of explosives under the Indian Explosives Act, 1884 (IV of 1884) ;
- (ii) that the quantity of explosives despatched to any consignee is not in excess of the quantity which he is entitled under his license to possess ;
- (iii) that each consignment of explosives is covered by a pass in the form appended hereto ;
- (iv) that a copy of the pass issued with each consignment is forthwith sent to the authority granting the license and also to the Magistrate of the District to which the explosives are consigned

<sup>1</sup> Inserted by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910, Pt. II, p. 1858

(r) that any loss, shortage or theft of explosives in transit is reported without delay to the licensing authority.

### Number of General Transport License (Explosives)

No.

This pass covers \_\_\_\_\_ packages containing (Description of explosives and weight) \_\_\_\_\_ while in transit from \_\_\_\_\_ to \_\_\_\_\_

to  
Name of consignee

No. of consignee's license to possess explosives

Date of despatch of consignment

Approximate date on which consignment should reach its destination

Holder of General Transport License No.

Форм А.

(See Rule 19.)

[Fee	Rupees in Stamps.]
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*License to manufacture, possess and sell gunpowder, or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class, or an explosive of the 7th (Firework) Class.*

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	Maximum quantity of explosive to be possessed at any one time.	Description and quantity of explosive to be manufactured during the year.	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires
1	2	3	4	5	6
					The 31st December 19 .

Town, }  
19 . }

Seal.

(Signature.)

District Magistrate of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives manufactured, of all stock in hand, and of all sales, in such form as the Resident may from time to time direct.

3. The licensee shall exhibit his stock and his books and records of manufacture and sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. (1) The explosive shall be manufactured in a tent or lightly constructed building exclusively appropriated for the purpose and separated from any dwelling-house, highway, street, public thoroughfare or public place by the distance—

(a) in the case of gunpowder or small-arm nitro-compound, of one hundred yards or

(b) in the case of an explosive of the 1st Division of the 6th (ammunition) class, or of the 7th (firework) class, of fifty yards.

(2) In the case of filling cartridges for small arms the operation may, if preferred, be carried out in the upper room of a building to which the conditions in clause (1) as to distance shall not apply: provided that no more than five pounds of explosive (except such as may be contained in safety cartridges) shall be in the room where the operation is being carried on.

(3) In all other cases the manufacture shall be carried on in a one-storied building.

5. The number of persons employed in manufacture in any one building or room shall not exceed six, and only persons actually manufacturing or superintending manufacture shall be allowed inside the place of manufacture.

6. No iron or steel implements shall be used in manufacture. Only copper, gun-metal or wooden tools are permissible.

7. All explosives, as manufactured, shall be removed without delay to a safe place of storage, and no explosives shall be allowed to accumulate in the place of manufacture.

8. Manufacture shall only be carried on between sunrise and sunset.

9. No smoking or lights shall be allowed in or near a room where explosives are being manufactured.

10. All sales of explosives under this license must be effected on the premises shown on the face of the license.

11. An explosive shall not be sold to any child apparently under the age of fourteen years, nor shall any child under that age be employed in manufacture.

12. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes :—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the distances prescribed in condition No. 4\* from any highway, street, public thoroughfare, or public place, and is made and closed so as to prevent unauthorised persons from having access thereto, and to secure it from danger from without, and is exclusively appropriated to keeping explosives ; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fireproof safe ; and

(b) such an excavation must be formed in solid rock, or earth, or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fire-proof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives, and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class, (not containing their own means of ignition) and made with gunpowder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

13. The maximum quantity of explosives allowed to be kept at the same time shall be the following :—

(1) if the only explosive kept be one or more of the following, namely :—

(a) gunpowder ;

(b) small-arm nitro-compound ; or

---

\* These distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.



- (c) ammunition of the first division of the 6th class, the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gunpowder and small-arm nitro-compound in all .	Two hundred.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class . . .	Any quantity.	Any quantity.

- (2) if the only explosive kept be manufactured fireworks

the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
manufactured fireworks .	Two hundred.	Fifty.

- (3) in any other case the maximum shall be—

mixed explosives, including gunpowder, small-arm nitro-compound and manufactured fireworks, etc., in all . . .	Sixty.	Fifteen.
and, in addition of explosives contained in ammunition of the 1st division of the 6th class . . .	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

14. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B,—

the interior thereof, and the shelves and fittings therein, shall be so constructed, or so lined and covered, as to prevent the exposure of any iron or steel, or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive;

and such interior, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

and, in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom;

and all articles or substances of an explosive, or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same;

and no person entering any such room or part of a building or any such excavation, or any such receptacle shall have any iron or steel in his possession, or attached to or on his boots or shoes;

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th (ammunition) class.

15. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosives exceeding one pound in quantity, shall be kept in a substantial case, bag, canister, or other receptacle, made and closed so as to prevent the explosives from escaping;

and when publicly exposed for sale or when sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark:

Provided that two samples of each kind of firework may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

16. (1) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) Gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

17. \*The licensee shall affix to his shop or place of business a signboard as required by rule 11 of the rules framed under the Indian Arms Act, 1878 (XI of 1878), and shall post up in his shop a copy of section 28 of that Act.

18. \*The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX of the forms prescribed under the Indian Arms Act, 1878 (XI of 1878), the following particulars, namely :—

- (a) the name and address of the person who takes delivery of the article sold ;
- (b) the nature and amount of articles sold ;
- (c) the date of sale ;

and shall append his signature to the endorsement.

19. A similar endorsement shall be made upon the license of every purchaser holding a license under the Explosives Act for the possession of explosives.

#### FORM B.

(See Rule 19.)

[Fee      Rupees in Stamps.]

*License to possess and sell gunpowder, or small-arm nitro-compound, or an explosive of the 1st Division of the 6th (Ammunition) Class or an explosive of the 7th (Firework) Class.*

Name, etc., of licensee and place of residence.	Place of business, factory or shop.	Maximum quantity of explosive to be possessed at any one time.	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires.
1	2	3	4	5
				The 31st December 19 .

Town,

19 .

Seal

(Signature.)

District Magistrate of

\* These conditions are to be added only when the authority granting this license directs, in pursuance of rule 36, by an order written on the license, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1881), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock and of all sales, in such form as the Resident may from time to time direct.

3. The licensee shall exhibit his stock and his books and records of sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. All sales of explosives under this license must be effected upon the premises shown on the face of the license.

5. An explosive shall not be sold to any child apparently under the age of fourteen years.

6. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes :—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances \* from any highway, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives ; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fireproof safe : and

(b) such an excavation must be formed in solid rock or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fireproof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class (not containing their own means

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\* In the case of gunpowder or small-arm nitro-compound, one hundred yards.

In the case of an explosive of the 1st division of the 6th (ammunition) class or of the 7th (firework) class, fifty yards :

Provided that these distances may be reduced to one-half when the building is surrounded by a traverse as high as the eaves of the building.

of ignition) and made with gunpowder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

7. The maximum quantity of explosives allowed to be kept at the same time shall be the following :

(1) if the only explosive kept be one or more of the following, namely—

- (a) gunpowder,
  - (b) small-arm nitro-compound, or
  - (c) ammunition of the 1st division of the 6th class,
- the maximum shall be—

	In Mode A lbs.	In Mode B. lbs.
gunpowder and small-arm nitro-compound in all .	Two hundred.	Fifty.
and, in addition, of explo- sives contained in ammunition of the 1st division of the 6th class	Any quantity.	Any quantity.

(2) if the only explosive kept be  
manufactured fireworks, the  
maximum shall be—

manufactured fireworks .	Two hundred.	Fifty.
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(3) in any other case the maximum  
shall be—

mixed explosives, including gunpowder, small-arm nitro-compound and manufactured fireworks, etc., in all . . . .	Sixty.	Fifteen.
and, in addition, of explo- sives contained in ammu- nition of the 1st division of the 6th class . . . .	Any quantity.	Any quantity.

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

8. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B,—

the interior thereof, and the shelves and fittings therein, shall be constructed or so lined and covered as to prevent the exposure of any iron or steel,

or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive ;

and such interior shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean ;

and, in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom ;

and all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same ;

and no person entering any such room or part of a building, or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes :

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th class.

9. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class and all other explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping ;

and, when publicly exposed for sale or sold, the outermost receptacle containing such explosives shall have affixed the name of the explosives in conspicuous characters by means of a brand or securely-attached label or other mark :

Provided that two samples of each kind of firework may be exposed for sale without complying with the foregoing clauses of this condition, if such samples be placed in such a position that no light or fire is, or is likely to be, brought near them.

10. (1) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other :

(2) Provided as follows :—

(a) Gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st division of the 6th (ammunition) class, may be kept with each other without any intervening partition or space ;

(b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space ;

(c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

11. \* The licensee shall affix to his shop or place of business a signboard as required by rule 11 of the rules framed under the Indian Arms Act, 1878 (XI of 1878), and shall post up in his shop a copy of section 28 of that Act.

12. \* The licensee shall at the time of purchase endorse upon the license of every purchaser holding a license under Form VIII or IX of the forms prescribed under the Indian Arms Act, 1878 (XI of 1878), the following particulars :—

(a) the name and address of the person who takes delivery of the articles sold ;

(b) the nature and amount of the articles sold ; and

(c) the date of sale ;

and shall append his signature to the endorsement.

13. A similar endorsement shall be made upon the license of every purchaser holding a license under the Explosives Act, for the possession of explosives.

FORM C

(See Rule 19)

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock in such form as the Resident may from time to time direct.

3. The licensee shall exhibit his stock and his books and records of sales to any Magistrate or to any Police-officer not below the rank of Inspector, whenever such Magistrate or officer may call upon him so to do.

4. (1) The explosives possessed by the licensee shall be kept in one or other or both of the following modes :—

Mode A, that is to say, in a building or excavation, which is detached from any dwelling-house, and is separated by the prescribed distances\* from any high-way, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without, and is exclusively appropriated to keeping explosives; and

(a) such a building must be substantially constructed of brick, stone or concrete, or must be a securely constructed fireproof safe: and

(b) such an excavation must be formed in solid rock or earth or in mine refuse not liable to ignition, and must not open into, from or out of any mine, quarry, tunnel or underground place which is in use for the carrying on of any work or for the employment of any person.

Mode B, that is to say, in a substantial receptacle (whether or not a fireproof safe) which is closed and secured so as to prevent unauthorised persons from having access thereto, and is exclusively appropriated to the keeping of explosives and is placed inside a dwelling-house, or inside a building which is not itself qualified for the keeping of explosives in Mode A.

(2) A fireproof safe shall not be used for the keeping of any explosive other than gunpowder or small-arm nitro-compound and cartridges of the 2nd division of the 6th (ammunition) class (not containing their own means of ignition) and made with gunpowder or small-arm nitro-compound, such as cartridges or charges for cannon or blasting purposes.

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5. The maximum quantity of explosives allowed to be kept at the same time shall be the following, namely—

(1) if the only explosive kept be one or more of the following, namely—

- (a) gunpowder,
  - (b) small-arm nitro-compound, or
  - (c) ammunition of the 1st division of the 6th class,
- the maximum shall be—

	In Mode A. lbs.	In Mode B. lbs.
gunpowder and small-arm nitro-compound in all.	Two hundred.	Fifty.
and, in addition, of explosives contained in ammunition of the 1st division of the 6th class.	Any quantity.	Any quantity.

(2) if the only explosive kept be manufactured fireworks, the maximum shall be—

manufactured fireworks	Two hundred.	Fifty.
------------------------	--------------	--------

(3) in any other case the maximum shall be—

mixed explosives, including gunpowder, small-arm nitro-compound and manufactured fireworks, etc., in all.	Sixty.	Fifteen.
---	--------	----------

and, in addition, of explosives contained in ammunition of the 1st division of the 6th class

Provided that in each of the three cases above-mentioned the aggregate quantity kept on the premises in Mode A and Mode B together may not in any case exceed the maximum quantity which may be kept in Mode A.

6. With respect to a building or excavation used in Mode A, and a receptacle used in Mode B,

the interior thereof, and the shelves and fittings therein, shall be so constructed or so lined and covered as to prevent the exposure of any iron or steel, or the detaching of any grit, iron or steel or similar substance, in such manner as to come into contact with the explosive;

and such interior shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean;

and, in the case of any explosive-being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom ;

and all articles or substances of an explosive or highly inflammable nature, and all lights, shall be kept at a safe distance from the explosive, and from any room or part of a building, excavation or receptacle containing the same ;

and no person entering any such room or part of a building, or any such excavation, or any such receptacle, shall have any iron or steel in his possession, or attached to or on his boots or shoes.

Provided that this condition, so far as it relates to the exposure of iron or steel or similar substances, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st division of the 6th class.

7. All explosives exceeding five pounds in quantity of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class and all other explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosive from escaping.

8. (1) Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other :

(2) Provided as follows —

- (a) Gunpowder, small-arm nitro-compound and safety fuzes belonging to the 1st division of the 6th (ammunition) class, may be kept with each other without any intervening partition or space ;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space ;
- (c) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

9. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely :—

- (a) the name and address of the person who takes delivery of the articles purchased ;
- (b) the nature and amount of the articles purchased, and
- (c) the date of purchase.

FORM C-1.<sup>1</sup>  
(See Rule 19-A.)

[ Free of charge. ]

*License to possess gunpowder or other explosives required bonâ fide for blasting purposes.*

*(Granted by the District Magistrate.)*

Name, etc., of licensee, and place of residence.	Description and quantity of explosive to be possessed during the year.	Place, with full details, where explosive is to be possessed	Maximum quantity of explosive (not exceeding 100 lbs gunpowder and 10 lbs of other explosives) and 100 detonators to be kept at any one time.	Date on which license expires.
1	2	3	4	5

19 .

Seal.

(Signature)

of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The explosive shall be kept in a substantially constructed uninflammable building approved by such officer as the Resident in Mysore may prescribe, or in a fireproof safe separated from any dwelling-house, high-way, street, public thoroughfare or public place by a distance of 50 yards and made and closed so as to prevent unauthorised persons from having access thereto, and to secure it from danger from without :

Provided that 50 lbs. of gunpowder may be kept inside a dwelling-house or in any building other than as last aforesaid in a receptacle exclusively appropriated to keeping explosives.

<sup>1</sup>Inserted by notification No. 87, dated the 5th December 1910. *Gazette of India*, 1910, Ft. II, p 1858.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any room or part of a building, fireproof safe or receptacle containing the same, and no person entering such room or part of any building or such safe or receptacle shall have any iron or steel in his possession or attached to or on his boots or shoes.

4. Neither the building exclusively appropriated for the purpose of keeping the explosive, nor the fireproof safe or receptacle referred to above, shall have any exposed iron or steel in the interior thereof:

Provided that this condition shall not be obligatory in a building, fireproof safe or receptacle in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

5. Gunpowder or other explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosive from escaping.

6. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

(a) the name and address of the person who takes delivery of the articles purchased;

(b) the nature and amount of the articles purchased; and

(c) the date of purchase.

#### Form D.

(See Rule 21.)

[Fee—Five Rupees in Stamps.]

*License to possess explosives generally (other than fulminates).*

Name, etc., of licensee, and place of residence.	Place of business or shop	Description of explosive	Maximum quantity of explosive (not exceeding sixty pounds) to be possessed at any one time	Date on which license expires
1	2	3	4	5
				The 31st December 19

Town,

19



(Signature.)

District Magistrate of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. (1) The explosive shall be kept in a substantially constructed building which is exclusively appropriated for the purpose, and is detached from any dwelling-house, and is situated at a safe distance from any high-way, street, public thoroughfare or public place, and is made and closed so as to prevent unauthorised persons from having access thereto and to secure it from danger from without :

(2) Provided that any quantity not exceeding fifteen pounds of any such explosive may be kept inside any building not conforming to clause (1) of this condition, if the explosive is placed in a receptacle exclusively appropriated to the keeping of explosives.

3. All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosives and from any building or receptacle containing the same

4. No building exclusively appropriated for the purpose of keeping the explosives, and no receptacle in which the explosives are kept, shall have any exposed iron or steel in the interior thereof.

5. All explosives exceeding one pound in quantity shall be kept in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosive from escaping.

6. Each description of explosive which may lawfully be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

7. The licensee shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature, namely :—

(a) the name and address of the person who takes delivery of the articles purchased ;

(b) the nature and amount of the articles purchased ; and

(c) the date of purchase.

8. [All losses, shortage of stock or thefts of explosives shall be reported without delay to the nearest police station.]<sup>1</sup>

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<sup>1</sup> Inserted by notification No. 57, dated the 5th December 1910. *Gazette of India*, 1910, Pt. II, p. 1858

## FORM I.

[See Rule 22 (2).]

## THE INDIAN EXPLOSIVES ACT, 1884.

Form of application for a license for possession of explosives (other than fulminates) in, and sale from, a Magazine.

1. Applicant's Name . . . . .	The replies to be written in this column.
" Calling Address . . . . .	
NOTE.—In . . . . .	

3 Explosive proposed to be stored—	The replies to be written in this column.
Village . . . . .	
Class . . . . .	
Division (if any) . . . . .	

NOTE.—The class and division (if any) stated should be in accordance with the classification in the General Rules to regulate the transport, manufacture, possession and sale of explosives.

4. Draft license containing the terms which the applicant proposes to have inserted, and specifying each of the matters stated below as are applicable . . . . .	The replies to be written in this column.
NOTE.—A draft license must be attached to this application and must be accompanied by a plan of the proposed magazine and of the site with the boundaries thereof shown in detail.	

The matters referred to above, and required (so far as applicable) to be specified, are as follows—

- (a) The boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distance to be maintained between the magazine or any part thereof and other buildings and works (for buildings and works here referred to, see 1st column of table of distances appended to these rules); and
- (b) The situation, character and construction of all the mounds, buildings and works on or connected with the magazine, and the distances thereof from each other; and
- (c) The nature of the work, if any, to be carried on in connection with the magazine and the place at which such work is to be carried on;
- (d) The site at which the explosive is to be kept, and the maximum amount of explosive to be kept in each such building; and
- (e) Any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation or construction of any buildings or works or the nature of any process or otherwise.

5. Remarks . . . . .

(Signature of applicant) \_\_\_\_\_

(Postal address of applicant) \_\_\_\_\_

(Date of application) \_\_\_\_\_



## FORM E.

[See Rule 22 (2).]

## THE INDIAN EXPLOSIVES ACT, 1884.

Form of application for a license for possession of explosives (other than fulminates) in, and sale from, a Magazine.

1. Applicant's Name	.	.	.	.	.	.	.	The replies to be
" Calling	.	.	.	.	.	.	.	written in this
" Address	.	.	.	.	.	.	.	column.

NOTE.—In any the of the

3 Explosive proposed to be stored—	.	.	.	.	.	.	.
Village	.	.	.	.	.	.	.
Class	.	.	.	.	.	.	.
Division (if any)	.	.	.	.	.	.	.
Name and description	.	.	.	.	.	.	.

NOTE.—The class and division (if any) stated should be in accordance with the classification in the General Rules to regulate the transport, manufacture, possession and sale of explosives.

4. Draft license containing the terms which the applicant proposes to have inserted, and specifying such of the matters stated below as are applicable

NOTE.—A draft license must be attached to this application and must be accompanied by a plan of the proposed magazine and of the

possession and sale of explosives, and of the workshop (if any) to be used in connection therewith for the adaptation or preparation of explosives, in pursuance of rule 35 (2) of the said rules; and, if both a room and workshop are to be used, the distance of the room from the workshop.

The matters referred to above, and required (so far as applicable) to be specified, are as follows:—

(a) The boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distance to be maintained between the magazine or any part thereof and other buildings and works (for buildings and works here referred to, see 1st column of table of distances appended to these rules); and

(b) The situation, character and construction of all the mounds, buildings and works on or connected with the magazine, and

(c)

(d)

(e)

by reason of the locality, the nature of any process or otherwise.

5. Remarks

(Signature of applicant)

(Postal address of applicant)

(Date of application)



## FORM F.

[See Rules 22 (8) and 28 (2).]

## THE INDIAN EXPLOSIVES ACT, 1884.

*Distances to be kept clear round a Magazine.*

Distances from the Magazine proposed { District \_\_\_\_\_  
to be established at { Village \_\_\_\_\_

*To be kept \* clear from the undermentioned Buildings and Works.*

Buildings and Works.	Distances to be kept clear, not less than	Reply.	Remarks.
1	2	3	4
Room used in connection with the magazine, in pursuance of rules 35 (1) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives	yards.		
Workshop used in connection with the magazine, in pursuance of rule 35 (2) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives†	"		
Private railway	"		
Highway or public footpath	"		
Open air public meeting place (such as a market)	"		
Reservoir or bunded tank	"		
Room or workshop in connection with another magazine, store, or registered premises	"		
Any other room or workshop or any shop	"		
Any other explosive magazine or store for explosives	"		
Furnace, kiln, or chimney	"		
Public railway	"		
Dwelling-house, with the consent, in writing, of the occupier	"		
"	"		
"	"		
"	"		
"	"		
Factory or magazine occupied by the Government of India or any Department under that Government, with the consent, in writing, of the Government of India or such Department	"		
Do without such consent	"		
Residency	miles		

NOTE—The applicant for the license should state in the third column whether he is able to observe the distances assigned in the second column, or not. In any case where he is unable to

(Signature of applicant) \_\_\_\_\_

(Postal Address of Applicant, \_\_\_\_\_

(Date) \_\_\_\_\_

\* The distances will be required to be kept clear not merely on the first establishment of the magazine, but during the continuance of the license.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

(1) belong to the same occupier, or

(2) are so kept by mutual consent of the respective occupiers.

[See Rule 22 (9).]

*Distances\* to be kept clear round a magazine.*

THE INDIAN EXPLOSIVES ACT, 1884.

Distances to be maintained between the magazine and other buildings and works:—

	From every	Not less than yards.
Room used in connection with the magazine, in pursuance of rule 35 (1) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives		
Workshop used in connection with the magazine, in pursuance of rule 35 (2) of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives †		
Private railway		
High-way or public footpath		
Open air public meeting place (such as a market)		
Reservoir or bunded tank		
Room or workshop in connection with another magazine, store or registered premises		
Any other room or workshop, or any shop		
Any other explosive magazine or store for explosives		
Furnace, kiln or chimney		
Public railway		
Dwelling-house, <i>with</i> the consent, in writing, of the occupier		
Dwelling-house, <i>without</i> such consent		
Factory not belonging to Government		
Church, chapel or hospital		
Public institution or building		
Government building		
Factory or magazine occupied by the Government of India, or any Department under that Government <i>with</i> the consent, in writing, of the Government of India or such Department		
Factory or magazine occupied by the Government of India, or any Department under that Government <i>without</i> such consent		
Residency		

In the case of any building or work above-mentioned which is so screened from the magazine by the natural features of the ground or by good and

\* The distances will be required to be kept clear & it merely on the first establishment of the magazine but during the continuance of the licence.

† This rule also applies to two or more magazines kept on the same premises, when such magazines—

(1) belong to the same occupier, or

(2) are so kept by mutual consent of the respective occupiers.

sufficient artificial mounds of earth as not to be visible from any part of such magazine, the distance assigned above as that to be observed between such building or work and the magazine may be reduced by one-half.

In the case of any building or work above-mentioned which is so screened from the magazine by an intervening hill, that a line drawn from any part of such building or work to any part of such magazine would pass through such hill, the distance assigned by this schedule as that to be observed between such building and work and the magazine may be reduced by three-fourths; but if a Government Inspector notifies in writing that in his judgment the intervening hill, in respect of which such reduction is claimed, is not of a character to justify such reduction, this clause, authorising such reduction, shall be deemed not to apply in respect of the said building or work.

### FORM H.


[See Rule 22 (14).]

[Fee—Twenty Rupees in Stamps]

*License to possess explosives other than fulminates in, and to sell explosives from, a magazine.*

[Granted by the Resident or officer appointed by the Resident in this behalf.]

Name of licensee, and residence.	Boundaries of the land forming the site of the magazine to which the license applies.	Situation, character and construction of the buildings and works connected with the magazine.	Description of explosive to be possessed.	Amount of explosives to be possessed at the same time in the magazine and within the boundaries of the site thereof.	Date on which license expires
1	2	3	4	5	6
					The 31st December 19 .

19 . }  Seal.

(Signature.)

*First Assistant Resident or*

### Conditions.

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock and of all sales in such form as the Resident may from time to time direct.

3. There shall not be at the same time in the magazine any quantity of explosives exceeding the quantity specified in the license.

4. The magazine shall be used only for the keeping of the explosives specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of such explosives.

5. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel, and the detaching of any grit, iron, steel, or similar substances in such manner as to come into contact with the explosives; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean; and, in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom:

Provided that so much of this condition as relates to precautions against the exposure of any iron or steel and the detaching of any grit, iron, steel or similar substances shall not be obligatory in a building in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

6. The magazine shall have attached thereto a sufficient lighting conductor, which shall be tested at least once during the currency of the license.

7. Before repairs are done to any room or magazine or part thereof, the same shall, as far as is practicable, be cleaned by the removal of all explosives or mixed ingredients thereof, and the thorough washing out of such room, magazine or part; and after such cleaning, these conditions shall cease to apply to such room or part of the magazine until any explosive is again taken into it:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

8. Except after such cleaning, all tools and implements used in, or in making any repairs to, any part of the magazine shall be made only of wood, copper or brass or some soft metal or material, or shall be covered with some safe and suitable material:

Provided that this condition shall not be obligatory in a magazine in which no explosive other than an explosive of the 1st division of 6th (ammunition) class is kept.

9. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or otherwise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article likely to cause explosion or fire, or of any grit, iron or steel; but this rule shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion.

Provided that so much of this condition as applies to the exclusion of grit, iron or steel shall not be obligatory in a building in which no explosive other than an explosive of the 1st division of the 6th (ammunition) class is kept.

10. No person shall smoke in any part of the magazine.

11. No person under the age of fourteen years shall be employed in or enter the magazine, except in the presence and under the supervision of some grown-up person, and no explosive shall be sold to any such person.

12. (1) Two or more descriptions of explosives which may lawfully be possessed in a licensed magazine may be possessed in the same magazine if they are separated from each other by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other:

(2) Provided as follows:—

- (a) the various explosives of classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound) and 4 (chlorate-mixture), safety fuse belonging to the 1st division of the 6th (ammunition) class and such of the various explosives of the 2nd division of the 6th (ammunition) class as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space;
- (b) the various explosives of the 1st division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (c) such of the various explosives of the 2nd division of the 6th (ammunition) class as contain any exposed iron or steel may be kept with each other without any intervening partition or space;
- (d) the various explosives of the 3rd division of the 6th (ammunition) class may be kept with each other without any intervening partition or space;
- (e) the various explosives of the 7th (firework) class may be kept with each other without any intervening partition or space.

and for preventing the introduction of any grit, iron or steel, into any part of the magazine where it would be likely to come into contact with explosive; and in any part of the magazine in which any explosive is kept which is liable to be dangerously affected by water, due precautions shall be taken to exclude water from such part; but this condition shall not prevent the introduction of an artificial light of such construction, position, or character as not to cause any danger of fire or explosion: and so much of this condition as relates to the exclusion of grit, iron or steel shall not be obligatory in the case of a magazine in which no explosive other than explosives of the 1st division of the 6th (ammunition) class is kept.

12. No person shall smoke in any part of the magazine.

13. (1) The licensee shall not employ any vessel, barge or craft to carry an explosive to or from the magazine unless the cabin, hold or other part of the vessel, barge or craft in which the explosive is or is to be carried—

(a) is constructed without any exposed iron or steel in the interior thereof,

(b) contains only explosives, and

(c) is closed or otherwise properly covered over:

Provided that clause (a) shall not apply in the case of any vessel, barge or craft which carries no explosive other than explosives of the 1st division of the 6th (ammunition) class, or which is specially exempted by an order of the Chief Inspector of Explosives or by an order of the Local Government endorsed on this license.

(2) The licensee shall see that the explosives to be placed on any vessel, barge or craft so employed are loaded, carried and unloaded with all due diligence and with such precautions and in such manner as will sufficiently guard against any accidental ignition.

14. The licensee shall see—

(a) that no fire, unprotected light or smoking is allowed while any explosives [other than explosives of the 1st division of the 6th (ammunition) class] is being received or delivered, or while the hatches or door of the magazine, or the hatches or coverings of any vessel, barge or craft alongside containing any such explosive, are open; and

(b) that no receipt or delivery of explosive is carried on, and that the hatches or door of the magazine are or is kept closed, when any vessel, barge or craft having on board a fire (other than

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The whole vessel, barge or craft in or on board which the explosives are stored shall be deemed to constitute the magazine.

3. The magazine shall be used only for the keeping of such explosives as may be specified in the license, and of receptacles for, or tools or implements or work connected with, the keeping of such explosives.

4. The interior of the magazine, and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel in such manner, and the detaching of any grit, iron, steel or similar substance in such manner as to come into contact with the explosives in such magazine; and such interior, benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean.

5. The magazine shall have attached thereto a sufficient lightning-conductor, which shall be tested previous to the storage of explosives.

6. No charcoal, whether ground or otherwise, oiled cotton, oiled rags or oiled waste and no article whatever which is liable to spontaneous ignition, shall be taken into the magazine.

7. Before repairs are done to or in any part of the magazine it shall, so far as practicable, be cleaned by the removal of all explosives, and by a thorough washing out. After being so cleaned, it shall not be deemed to be a magazine until explosives are again taken into it.

8. There shall be constantly kept in the magazine, affixed in such manner as to be easily read, a copy of the license, and of any special rules that may be issued from time to time for the keeping of explosives in a floating magazine.

9. All tools and implements used in any repairs to or in any part of the magazine shall be made only of wood or copper or brass or some soft metal or material, or shall be covered with some safe and suitable material.

10. No fires, lights or lucifer matches, and no substance or article which is likely to cause explosion or fire, shall be permitted to be at any time in the magazine.

11. Due provision shall be made, by the use of suitable working clothes without pockets, or of suitable shoes, or by searching or otherwise, or by some such means, for preventing the introduction into the magazine of fire, lucifer matches or any substance or article which is likely to cause explosion or fire;

## FORM J.

(See Rule 25.)

[Fee—Five Rupees in Stamps.]

*License to sell explosives.*

[Granted by the District Magistrate.]

Name, etc., of licensee and place of residence.	Place of business or shop.	Description of explosive to be sold.	Date on which license expires.
1	2	3	4
			The 31st December 19 .

Town or District, }  
19 . }

Seal.

(Signature)  
of

*Conditions.*

1. This license is granted subject to the provisions of the Indian Explosives Act, 1884 (IV of 1884), and the rules thereunder.

2. The licensee shall keep records and accounts of all explosives in stock, and of all sales, in such form as the Resident may from time to time direct.

3. Explosives shall not be sold to any child apparently under the age of fourteen years.

4. All explosives exceeding one pound in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister or other receptacle, made and closed so as to prevent the explosives from escaping; and the outermost receptacle containing such explosives shall have affixed the name of the explosives, with the word "Explosives" added thereto in conspicuous characters by means of a brand or securely attached label or other mark.



TABLE SHOWING DISTANCES WHICH SHOULD

[illegible]

ORDINARILY BE KEPT CLEAR ROUND MAGAZINES—*contd.*

ALLOWED IN THE MAGAZINE (IN POUNDS).

11,000 lbs.	12,000 lbs.	13,000 lbs.	14,000 lbs.	15,000 lbs.	16,000 lbs.	17,000 lbs.	18,000 lbs.	19,000 lbs.	20,000 lbs.	22,000 lbs.	24,000 lbs.	26,000 lbs.	28,000 lbs.	30,000 lbs.	32,000 lbs.	34,000 lbs.	36,000 lbs.	38,000 lbs.
205	210	215	220	225	230	235	240	245	250	265	280	295	310	325	340	355	370	385
270	280	285	290	295	300	305	310	315	320	335	350	365	380	395	410	425	440	455
180	190	200	205	210	215	220	225	230	235	250	265	280	295	310	325	340	355	370
560	590	620	655	690	720	750	785	815	850	920	990	1060	1130	1200	1265	1330	1395	1460
1950	1970	1990	2005	2025	2040	2060	2075	2095	2110	2145	2185	2225	2265	2305	2345	2385	2425	2465
11	11	11	11	11	11	11	11	11	11	11	11	11	2	2	2	21	21	21



ORDINARILY BE KEPT CLEAR ROUND MAGAZINES—*contd.*

ALLOWED IN THE MAGAZINE (IN POUNDS).

64,000 lbs.	66,000 lbs.	68,000 lbs.	70,000 lbs.	72,000 lbs.	74,000 lbs.	76,000 lbs.	78,000 lbs.	80,000 lbs.	82,000 lbs.	84,000 lbs.	86,000 lbs.	88,000 lbs.	90,000 lbs.	92,000 lbs.	94,000 lbs.	96,000 lbs.	98,000 lbs.	100,000 lbs.
82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
164	166	168	170	172	174	176	178	180	182	184	186	188	190	192	194	196	198	200
580	595	610	625	640	655	670	685	700	715	730	745	760	775	790	805	820	835	850





TABLE SHOWING DISTANCES WHICH SHOULD

		AMOUNT OF EXPLOSIVE											
		40,000 lbs.	42,000 lbs.	44,000 lbs.	46,000 lbs.	48,000 lbs.	50,000 lbs.	52,000 lbs.	54,000 lbs.	56,000 lbs.	58,000 lbs.	60,000 lbs.	62,000 lbs.
DISTANCES TO BE KEPT CLEAR FROM—													
Public railway . . .	Yds.	460	475	495	500	510	525	540	550	555	575	590	605
Dwelling-house, with the consent, in writing, of the occupier.	"	400	415	430	445	460	475	490	505	520	535	550	565
Dwelling-house without such consent.	"	1525	1590	1655	1720	1785	1850	1915	1980	2045	2110	2175	2240
Factory not belonging to Government.	"												
Church, chapel or hospital .	"												
Public institution or building	"												
Government building . . .	"												
Factory or magazines occupied by the Government of India or any Department under that Government.	"												
(1) with the consent, in writing, of the Government of India or such Department.	"												
(2) Do. without such consent.	"	2465	2500	2535	2570	2605	2640	2675	2710	2745	2780	2815	2850
Residency . . .	miles.	2½	2½	2½	2½	2½	3	3	3	3½	3½	3½	3½

5. All persons whose vernacular is English shall be served with a notice in Form II under section 17, instead of being included in a list under section 16, even though their income is below Rs. 2,000.

6. Under section 18, sub-section (1), clause (a), the Collector is authorized to cause a notice under section 17 to be served on any person whose name is for the first time included in the list published under section 16.

[The Collector is authorized to publish a general notice in Form J appended herewith inviting every person chargeable under Part IV to deliver a return of income under section 18, sub-section 1, clause (b). Copies of the general notice shall also be served individually on every person whose income is estimated not to be below Rs. 1,000.]<sup>1</sup>

7. The notice to furnish information of lodgers and employes, to be issued under section 11, shall be in Form K.

8. The notices to be issued under the provisions of sections 42 and 43 to trustees, agents and others (1) to furnish information regarding the names of beneficiaries and principals, and (2) to submit returns of income, shall be in Form M and N respectively, and should be made returnable within thirty days.

9. The tax payable under Part IV, Schedule II, of the Act shall be payable in one sum.

10. Within the limits of the Civil and Military Station the tax chargeable under Part IV of this Act shall under section 30 (4) be recovered therein with, and as an addition to, the municipal tax on houses or on arts, trades and professions, by the same person and in the same manner as the municipal tax is recovered.

11. The receipt referred to in section 32 of the Act will be in Form O.

12. Return No. 1 to be furnished by the Accountant General, Madras, under Rule 8, and Return No. II to be furnished by the Accountant General, Madras, under Rule 14 of the Government of India Rules, dated February 5, 1886, shall be forwarded to the Resident's Office.

13. The Collector shall submit to the Resident in Mysore monthly statements of Income Tax collection in Form P and P I, or in such other form as may be prescribed in that behalf by the Resident in Mysore.

14. Registers shall be kept by the Collector and the Assistant to the Resident in forms noted below :—

Registers 1, 1 A, 2, 3 and 4 by the Collector.

Register 5 by the Assistant to the Resident.

<sup>1</sup> Added by notification No. 62, dated the 10th September 1909, *Gazette of India*, 1909, Pt. II, p. 1517.



er the Act  
il and  
ation.

*No. 2297-806, dated the 13th August 1886.*—In the exercise of the powers delegated to him by the Governor General in Council under Act II of 1886<sup>1</sup>, and notification by the Government of India in the Department of Finance and Commerce, No. 593, dated 5th February 1886, the Resident in Mysore is pleased to sanction the following rules under the said Act for the Civil and Military Station of Bangalore:—

1. In accordance with the provisions of section 9, sub-section 2, the Collector may engage with any Company, Association, or persons willing to undertake the collection of the tax payable by their employes, pensioners and others, to pay a commission at such rate as may seem suitable according to the circumstances of each case, not exceeding 5 per cent. of the collections. The tax payable to Government, minus such commission as may be agreed upon, shall be remitted within a week to the Treasury Officer or other officer authorised to receive it, accompanied by a statement showing the following particulars:—

1. Name of person from whom the tax has been collected.
2. Amount of salary, pension, annuity or gratuity on which the tax has been assessed.
3. Amount of tax.
4. Amount of commission deducted.
5. Balance remitted to the Treasury Officer.

2. The annual return of income to be submitted by Companies under section 11 of the Act, shall be in Form E annexed to these Rules, and the notice to be served on them under section 12, sub-section (1), shall be in Form F.

3. The list and notification referred to in section 16 of the Act shall be prepared in Form G in English, in Canarese, and in Tamil, and copies thereof shall be posted on the walls of the Collector's and Amildar's Offices. The list, or such part or parts thereof as the Collector thinks fit, with the notification prefixed thereto, shall also be published in one English and two Vernacular newspapers. Notice of where the list is to be seen, and of the purport of the notification, shall also be given by beat of tomtom and be otherwise publicly notified.

4. The special notice to be served on persons assessed under section 17 of the Act, shall be in Form H.

<sup>1</sup> The Act was applied to the Civil and Military Station by notification No. 2166-I., dated the 24th June 1886, which is superseded by notification No. 732-D., dated the 10th March 1913, paragraph 11 of which keeps these Rules in force. Printed Vol I, page 390.



15. The Collector shall submit to the Resident, at the end of each year, a full report on the working of the Act, accompanied by the necessary returns, and a statement showing the number of prosecutions under the Act in Form Q.

16. The following is prescribed regarding composition for the tax under section 31 of the Act :—

- (1) Any person who is desirous of compounding shall apply to the Collector for composition before his assessment has been enjoined by the Collector.
- (2) The period for composition shall not exceed 3 years.
- (3) The composition allowed by the Collector shall be subject to the sanction of the Assistant to the Resident.
- (4) The contract of composition shall cease to have force on the death, bankruptcy or insolvency of the person entering into the contract, except as regards payment on account of composition already due.
- (5) Fraud on the part of the person entering into the contract in stating his income or otherwise shall render the contract void.

[*Gazette of India*, 1886, Pt. II, p. 503.]

#### FORM E.

*Annual Return of Net Profits to be delivered by the Principal Officer of a Company under section 11 of Act II of 1886.*

1	2	3	4	5
Name of Company.	Place of business.	Source of income.	Amount of income derived from each of these sources, mentioning the period during which the income from each source has been derived.	REMARKS.

#### SUBSCRIPTION.

I, \_\_\_\_\_, do declare that the income stated in this return is truly estimated on all the sources of income therein mentioned, that it has actually accrued within the period stated, and that the company has no other sources of income.

## INSTRUCTIONS.

1. In column 3 should be entered in detail every separate source of income accruing and arising in the Civil and Military Station of Bangalore.

2. In column 4 should be entered the income accruing and arising during the year ending on the day on which the company's accounts have been last made up, or if the company's accounts have not been made up within the year ending on the \_\_\_\_\_ in the year immediately preceding that for which the assessment is to be made, then during the year ending on the \_\_\_\_\_

3. Against the gross receipts no deductions should be made on account of disbursements or expenses not wholly and exclusively incurred in respect of the profits returned, nor on account of any public or local rates, cesses, or taxes.

4. Deductions from the gross receipts may be allowed on account of the following items :—

(a) In the case of trades or professions—

- (1) Sums expended in the repairs of implements, utensils, or articles used solely for the purpose of the profession or trade.
- (2) Sums expended for insuring or keeping insured the buildings, machinery, implements, and stock used for the purposes of the profession or trade, and the rent paid for any premises used for such profession or trade, provided that if such premises shall not have been exclusively used for such profession or trade, a fair proportion only of such rent shall be deducted from the gross receipts.
- (3) Ten per cent. on the rack-rent of such premises on account of repairs if such repairs are at the cost of the company, whether it has or has not been actually expended during the year of assessment.
- (4) Sums expended in the payment of persons employed solely in such profession or trade.
- (5) The amount of any losses of the stock in trade. The excess loss sustained in any one or more professions or trades over and above the profits thereof may be set against the excess profits of any other profession or trade exercised by the same company.
- (6) The amount of any bad debts for the first time ascertained and written off as such during the year.
- (7) Interest paid on money borrowed for the purpose of the trade or profession.

(b) In the case of income from houses—

- (1) Any rent paid on account of such houses, but not taxes or local rates or cesses.
- (2) Sums expended for insuring and keeping insured such houses.
- (3) Ten per cent. on the rack-rent of the houses on account of repairs if such repairs are at the cost of the company, whether such amount has or has not been actually expended during the year of assessment.
- (4) Sums expended in collecting the rent not exceeding 6 per cent. of the gross rental.
- (5) Annual interest payable to a mortgagee not in possession.

(c) In the case of buildings owned and occupied by the company within the meaning of section 24 of the Act, one-sixth of the gross annual rent at which they may be reasonably expected to let, and in the case of dwelling houses may be expected to let unfurnished, provided that where five-sixths of the gross rental of such buildings exceeds 10 per cent. of the income of the company from all sources, a further deduction shall be made equal in amount to the excess.

#### FORM F.

*Notice under section 12, sub-section (1) of the Act.*

No.

Dated

To

With a view to test the correctness of the return furnished by you under section 11 of Act II of 1886 for the year ending                      you are required hereby to produce or cause to be produced for the inspection of the undersigned at                      on or before the following documents:—

If you fail to comply with this notice, you will be dealt with according to law, section 34 of the Act.

*Collector.*

#### FORM G.

*Notice under section 16 of Act II of 1886.*

Under the provisions of section 16 of Act II of 1886, it is hereby notified that the persons, whose names are entered in the subjoined list and whose incomes are estimated not to exceed Rs. 2,000, have been assessed at the amounts shown against each for the income tax under Part IV of Schedule II annexed to the Act for the year ending                      188 .

2. Every person whose name is entered in the list is hereby required either to pay the amount of assessment with his municipal house or profession tax

within sixty days from                      or to apply to the undersigned within thirty days from the aforesaid date to have the assessment reduced or cancelled.

BANGALORE,

CIVIL AND MILITARY STATION ;

188 .

Collector.

*List of persons assessed under Part IV, Schedule II of Act II of 1886, on incomes below Rs2,000 but not below <sup>1</sup>[Rs1,000] per annum for the year ending                      188 .*

1	2	3	4	5	6
Names of persons assessed.	Source or sources of income assessed.	The year or portion of the year for which the tax is to be paid.	The place or places where the income accrues.	The amount to be paid	The place where and the person to whom the amount is to be paid

FORM H.

*Notice under section 17 of Act II of 1886.*

No.

Date

To

residing at

You are hereby required to take notice that you have been assessed under Part IV, Schedule II, annexed to Act II of 1886 according to the particulars specified below, and that you should either apply to the undersigned within 30 days from                      to reduce or cancel the assessment, or pay the same with your municipal house or profession tax within sixty days from the aforesaid date.

Collector.

1	2	3	4	5
Source or sources of income assessed.	The year or portion of the year for which the tax is to be paid.	Place or places where the income accrues.	The amount to be paid.	The place where and the person to whom the amount is to be paid

<sup>1</sup> Substituted by notification No. 5, dated the 3rd February 1913 *Gazette of India, 1913.* Pt. II, p. 296.

FORM J.<sup>1</sup>

*Notice under section 18, sub-section (1), clause (b) of Act II of 1886.*

All persons resident or carrying on business in \_\_\_\_\_, whose incomes are not below Rs. 1,000 per annum, are hereby invited, under section 18, sub-section (1), clause (b) of Act II of 1886, to prepare under their signature true returns of their income in the form subjoined and in accordance with the instructions attached thereto and deliver them or cause them to be delivered at the office of \_\_\_\_\_ on or before \_\_\_\_\_

2. Persons who fail to comply with the above requisition will be assessed on the best information procurable.

Dated \_\_\_\_\_

Collector.

Name of person.	Residence or place of business.	Sources of income.			Amount of gross income derived from each of these sources, and the period during which the income from each source has been derived.		Total deductions.	Amount of net profits.	Remarks.			
		In this column should be specified separately the sources of income chargeable under Parts I, II, III, and IV of Schedule II of the Income Tax Act, II of 1886.			Amount of gross income.	Period.						
		Particulars of the sources of income chargeable under Parts I, II, III and IV of the Act.	Number of shares in such income.	Names of shareholders.		The year or the portions of the year during which the income has accrued.						
1	2	3			4		5	6	7			
					R a. p.		R a. p.	R a. p.				

*Subscription.*

I \_\_\_\_\_ do declare that the income stated in this return is truly estimated on all the sources of income therein mentioned, that none but items declared on the reverse of this form to be admissible as deductions have been deducted in arriving at the net profits; that the income under each

<sup>1</sup> Inserted by notification No. 62, dated the 10th September 1909. *Gazette of India*, 1909, Pt. II, p. 1517.

source has actually accrued within the period stated and that I have no other source of income.

Dated  
Station

191 .

(Signature)  
(Designation)

*Instructions for the preparation of the true returns of income referred to in the notice on the Front.*

(1) In the case of a firm, the ordinary designation of the firm should be entered in column 1.

(2) If the person or firm making the return has several places of residence or business, they should all be mentioned in column 2, the principal place of residence or business being specified.

(3) Column 3 should show all sources and amounts of income, specifying separately those chargeable under Parts I, II, III and IV of Schedule II of the Act, and the number of shares in such income and the names of sharers. In this column should be entered in detail every separate source of income accruing and arising in <sup>1</sup>[the Civil and Military Station of Bangalore.] Salaries, pensions, annuities and gratuities are chargeable under Part I, interest on Government and other securities under Part III, and other sources of income, including the rental value of buildings occupied by owners calculated under section 24 of the Act, are chargeable under Part IV of Schedule II of the Act.

(4) In column 4 should be entered the gross income accruing and arising during the year ending on the day on which the person's accounts have been last made up, or if the person's accounts have not been made up within the year ending on the 31st day of March in the year immediately preceding that for which the assessment is to be made, then during the year ending on the 31st day of March. In this column, the period during which the income from each source has been derived should be specified.

(5) Against the gross receipts, no deductions should be made on account of disbursements or expenses not wholly and exclusively incurred in respect of the profits returned; nor on account of any public or local rates, cesses or taxes, nor on account of the maintenance of the assessee himself or his family or domestic establishment.

(6) A deduction for the purpose of securing a deferred annuity or a provision for wife or children or a payment to a Life Insurance Company should not be excluded from column 4, but should be included in the column headed

<sup>1</sup> Substituted by notification No. 5, dated the 2nd February 1913. *Gazette of India*, 1913, Pt. II, p. 296.



"Total deductions" and supported in the insurance case by a receipt for such deduction or payment.

*Examples of deductions from the gross receipts which are admissible.*

(a) In the case of Trades or Professions.

(1) Sums actually expended in the repairs of implements, utensils or articles used solely for the purpose of the profession or trade.

(2) Sums expended in insuring or keeping insured the buildings, machinery and plant, implements and stock used for the purpose of the profession or trade. The deduction is confined to the premia (including subscriptions, etc.) paid during the year upon the income accruing in which the tax is assessed.

(3) The amount of rent paid for any premises exclusively used for such profession or trade.

*N.B.*—Where they are not exclusively used for such profession or trade, only a fair proportion of such rent is admissible for deduction.

(4) The amount actually expended on repairs and renewals of such premises, if the repairs and renewals are at the cost of the assessee. The assessee must be prepared to prove the amount spent by means of vouchers.

(5) The amount expended as salaries of persons employed solely and exclusively in the profession or trade. When a firm has transactions both in and out of India and realises profit in both by means of an establishment maintained in India in common for both, only a proportionate deduction is allowed (the exact proportion of which will be determined by the assessing officer in each case).

(6) The amount of any loss in trade or of the stock in trade actually written off during the year. In cases where there is loss in one trade or profession and profit in another, the loss may be set off against the profits, and any excess loss deducted. So also loss under any one part of the schedule may be set off against income under any other part.

(7) The amount of any bad debts for the first time ascertained and written off the accounts as such during the year. (The debts should be written off in the personal ledger of each debtor by adjustment to both credit and debit sides.)

(8) Interest paid on borrowed capital. The assessee may be required to satisfy the assessing officer that only capital actually employed in his trade is taken into account in this connection.

*N.B.*—When the whole capital is not exclusively employed in the trade, only a fair proportion of the interest paid shall be deducted.

(9) Such miscellaneous and contingent charges as commission or discount—

postage, telegraphic, law, advertising and stationery charges.  
shipping, freight, railway and other transit charges.

*N.B.*—The nature of the charge and the amount incurred under each should be distinctly demonstrable.

(10) Payments actually made to Insurance Companies for the purpose of securing a deferred annuity or a provision for wife or children or a payment to a Life Insurance Company but not those set aside to form an Insurance Fund.

(11) Charges incurred in providing tiffin for assistants, clerks and constituents.

(12) Amount actually expended from the profits of the year on ordinary maintenance, repair of machinery and plant.

(13) Such amount as may be actually set apart from the profits of the year for depreciation up to a limit of 10 per cent. on the value of the machinery and plant.

*N.B.*—Care should be taken to see that the deduction allowed represents the repairs and depreciation of only one year, i.e., the year the income of which is assessed.

(b) In cases of houses owned and let by the owner for rent.

(1) Sums expended in insuring or keeping insured such houses, the deduction being confined only to the premia (including subscriptions, etc.) paid during the year upon the income accruing in which the tax is assessed.

(2) Actual expenditure during the year on repairs and renewal of houses, if such repairs are at the cost of the assessee, but not depreciation in the value of such buildings.

(3) Sums expended in collecting the rent not exceeding 6 per cent. of the gross rental. The deduction applies only to direct payments.

(4) Any interest payable to a mortgagee not in possession, whether the interest has or has not been actually paid during the year.

(5) Any rent paid on account of such houses.

(c) In cases of houses occupied by the owner for dwelling purposes under section 24 of Act II of 1856.

(1) When buildings are occupied by their owners as dwelling houses, five-sixths of the estimated annual rent thereof shall be added to the net income under Part IV and the sum total assessed, provided that, where five-sixths of the annual rental value exceeds 10 per cent. of the assessee's income

from all sources whether taxable or not, the excess shall be deducted from the five-sixths of the rental value and the remainder added to the net income under Part IV.

(2) Houses reserved for the use of the owner, but not occupied by him during the period which serves as the basis of the assessment.

*N. B.*—The term 'renewal' as used in the return refers only to such works as are intended to put the building into the same state as it was in when it was originally constructed, while any additional accommodation provided or any material alteration to the plan of the building shall be treated as an addition.

When a portion of the house is occupied by the owner and the remainder let out on hire, the portions should be treated as if they were separate houses and deductions allowed accordingly, i.e., either a sixth of the annual rent value or actual expenditure on repairs and renewals, as the case may be.

*Examples of Deduction from the gross receipts which are not admissible.*

- (1) Amounts expended by vakils on the purchase of law books and stationery.
- (2) Amounts set apart to form a renewal fund in cases where allowance is made for repairs under the rules.
- (3) Amount set apart as a reserve fund out of profit to meet anticipated or contingent losses.
- (4) Amount spent in or set apart for repayment of debts.
- (5) Interest on capital put in by the partners of the firm.
- (6) Partners' allowances.
- (7) Bad or doubtful debts not written off.
- (8) Any set off out of the profits of the year on account of ascertained losses of previous years.
- (9) Public or local rates, cesses or taxes.
- (10) Cost of maintenance of the assessee himself or his family or domestics.
- (11) Bonuses paid to domestic servants.
- (12) Christmas presents to domestic servants.
- (13) Subscription to races, charities and schools, etc.
- (14) Tiffin expenses of partners of a firm when these can be separately ascertained.
- (15) Interest not received in cash, a bond being taken for the same.
- (16) Deductions for depreciation in the value of the buildings.
- (17) Payments made to form an insurance fund against future losses.
- (18) Outlay on the purchase of machinery, plant, etc.

## FORM K.

*Notice under section 41 of Act II of 1886.*

No.

Date

You are hereby required to deliver to \_\_\_\_\_ at \_\_\_\_\_ on or before \_\_\_\_\_ a list in the form accompanying, containing to the best of your belief the names of lodgers or inmates resident in your dwelling-house, or in buildings let by you in lodgings, and of any other persons receiving salary or emoluments amounting to <sup>1</sup>[eighty-three rupees five annas and four pies] per mensem or <sup>1</sup>[one thousand] rupees per annum or upwards, employed in your service, whether resident in such house or not, and the place of residence of such of them as are not resident in such house, and also of any such lodger or inmate who has any ordinary place of residence elsewhere at which he is liable under the Act to be assessed and who desires to be so assessed at such place.

*Collector.*

Form of list of lodgers, inmates and employes returned under section 41 of Act II of 1886.

Name of person making the return.

Residence.

1	2	3	4	5
Name.	Whether lodger, inmate or employé.	Residence, if different from the above	State here at what residence he desires to be assessed.	REMARKS.
_____	_____	_____	_____	_____

*Dated the*

(Signature of the person making the return.)

## FORM M.

*Notice under section 42 of Act II of 1886.*

No.

Date

To

You are hereby required to deliver or cause to be delivered to the undersigned on or before the \_\_\_\_\_ day of \_\_\_\_\_ next, a statement in the annexed form of the name or names of the person or persons, if any, for or of whom you are trustee, guardian, curator, committee or agent.

<sup>1</sup> Substituted by notification No 5, dated the 3rd February 1913 *Gazette of India*, 1913, Pt. II, page 296.

Failure to deliver this return, or the delivery of a false return, will render you liable to the penalty provided in sections 176 and 177 of the Indian Penal Code.

*Collector.*

1	2	3	4
Name of trustee, guardian, curator, committee or agent.	Whether trustee, guardian or agent.	Name of persons, if any, for whom he is trustee.	REMARKS.

FORM N.

*Notice under section 43 of Act II of 1886.*

No

Date

To

You are hereby required to duly fill in, in accordance with the instructions on the reverse, and to sign and deliver at \_\_\_\_\_ on or before \_\_\_\_\_ a return of income officially in your possession or control as trustee, guardian, curator, committee or agent, or as Receiver or Manager appointed by any Court in the Civil and Military Station on behalf of

*Collector.*

1	2	3	4	5
Name of person.	Place of business.	Sources of income specifying separately those chargeable under Parts I, II, III, and IV of Schedule II of the Act and the number of shares in such income and the names of sharers.	Amount of income derived from each of these sources, mentioning the period during which the income from each source has been derived.	REMARKS.

I, \_\_\_\_\_, do declare that the income shown in this return is truly estimated on all the sources therein mentioned, that it has actually accrued within the period therein stated, and that I have no other source of income.

(Signature.)

Dated

## INSTRUCTIONS.

1. In column 3 should be entered in detail every separate source of income accruing and arising in the Civil and Military Station. Salaries, pensions, annuities and gratuities are chargeable under Part I, interest on Government and other securities under Part III, and other sources of income including the rental value of buildings occupied by owners calculated under section 2, are chargeable under Part IV of Schedule II of the Act.

2. In column 4 should be entered the income accruing and arising during the year ending on the day on which the parties' accounts have been last made up, or if the parties' accounts have not been made up within the year ending on the \_\_\_\_\_ in the year immediately preceding that for which the assessment is to be made, then during the year ending on the \_\_\_\_\_

3. Against the gross receipts no deductions should be made on account of disbursements or expenses not wholly and exclusively incurred in respect of the profits returned, nor on account of any public or local rates, cesses, or taxes, nor on account of the maintenance of the person himself or his family or domestic establishment.

4. Deductions from the gross receipts may be allowed on account of the following items :—

(a) In the case of trades or professions—

- (1) Sums expended in the repairs of implements, utensils, or articles used solely for the purpose of the profession or trade.
- (2) Sums expended for ensuring or keeping insured the buildings, machinery, implements, and stock used for the purposes of the profession or trade, and the rent paid for any premises used for such profession or trade, provided that, if such premises shall not have been exclusively used for such profession or trade, a fair proportion only of such rent shall be deducted from the gross receipts.
- (3) Ten per cent. on the rack-rent of such premises on account of repairs if such repairs are at the cost of the party, whether it has or has not been actually expended during the year of assessment.
- (4) Sums expended in the payment of persons employed solely in such profession or trade.

- (5) The amount of any losses of the stock in trade. The excess loss sustained in any one or more professions or trades over and above the profits thereof may be set against the excess profits of any other profession or trade exercised by the same party.
  - (6) The amount of any bad debts for the first time ascertained and written off as such during the year.
  - (7) Interest paid on money borrowed for the purpose of the trade or profession.
- (b) In the case of income from houses—
- (1) Any rent paid on account of such houses, but not taxes or local rates or cesses.
  - (2) Sums expended for ensuring and keeping insured such houses.
  - (3) Ten per cent. on the rack-rent of the houses on account of repairs if such repairs are at the cost of the party, whether such amount has or has not been actually expended, during the year of assessment.
  - (4) Sums expended in collecting the rent, not exceeding 6 per cent. of the gross rental.
  - (5) Annual interest payable to a mortgagee not in possession.
- (c) In the case of buildings owned and occupied by the party within the meaning of section 24 of the Act, one-sixth of the gross annual rent at which they may be reasonably expected to let, and in the case of dwelling-houses may be expected to let unfurnished, provided that where five-sixths of the gross rental of such buildings exceeds 10 per cent. of the income of the party from all sources, a further deduction shall be made equal in amount to the excess.
- (d) In the case of salaries, pensions, annuities or gratuities, such portion not exceeding one-sixth of the income, as is deducted for the purpose of securing a deferred annuity to him or a provision to his wife or children after his death, or is paid by the person to an insurance company in respect of an insurance or deferred annuity on his own life or on that of his wife.

## FORM O.

*Receipt under section 32, Act II of 1886.*

No. \_\_\_\_\_  
Date \_\_\_\_\_

Received from                      the sum of Rupees  
being the amount of tax assessed under Act II  
of 1886 according to the particulars specified  
below :—

1	2	3	4	5	6
The date of payment or recovery of the money.	The amount paid or recovered.	The person who was liable to the tax and the source or sources of income in respect of which the tax was payable.	The year or part of the year for which the tax was payable.	The place or places where the income accrues	Such other particulars as may have been prescribed.

*Collector.*

## FORM O.

*Receipt under section 32, Act II of 1886.*

No.  
Date

Received from the sum of Rupees  
being the amount of tax assessed under Act II  
of 1886 according to the particulars specified  
below:—

1	The date of payment or recovery of the money.
2	The amount paid or recovered.
3	The person who was liable to the tax and the source or sources of income in respect of which the tax was payable.
4	The year or part of the year for which the tax was payable.
5	The place or places where the income accrues.
6	Such other particulars as may have been prescribed.

**Collector.**

## Form P.

Monthly Statement of Income Tax Collections under Part IV of Schedule II  
of Act II of 1886.

No.	Description	Amount	Total
1	Case in Part IV of Schedule II.		
2	No. of persons taxed.		
3	Amount paid by assessing officer after having objection under section 27.		
4	Deduction made by the Assessors in the Register under section 27.		
5	Gross amount charged.		
6	Amount collected.		
7	Balance unpaid as reflected.		
8	All entries up to by the Assessor in the Register.		
9	All net no statement in assessment or its work in Rs.		
	<b>TOTAL.</b>		
	<b>SUBTOTAL.</b>		



## FORM P I.

Monthly Statement of Collections of Income Tax charged under Parts I, II, III, and IV of Schedule II of Act II, 1886.

Class.	Amount of income.		SALARIES, PENSIONS, AND GRA.		BY LOCAL AUTHORITY.		Taxes levied under		TOTAL COLLECTION OF TAX.							
			No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.	No. of assesses.	Amount of tax.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
III	R 1,000															
IV	R 1,250															
V	R 1,500															
VI	R 1,750															
	Total I to VI															
VII	R 2,000															
VIII	R 2,500															
IX	R 3,000															
X	R 3,500															
XI	R 4,000															
XII	R 4,500															
XIII	R 5,000															
XIV	R 5,500															
XV	R 6,000 and more															
	Total VII to XV															
	TOTAL															

## FORM Q.

Statement showing the number of prosecutions under Act II of 1886.

1	2	3	4	5	6	7	8
Nature of the offence and the section under which punishable.	Number of cases.	Number of persons prosecuted.	Number of persons acquitted.	Number of persons convicted.	Amount of fines imposed.	Amount of fines recovered.	Amount of fines remitted by the Assistant to the Resident under section 34, sub-Section (2)

N.B.—The above particulars should be given for the offence mentioned in Section 35, as well as the offences mentioned in section 34. In the case of offences under section 35, a foot-note should be added showing the number of convicted persons who were sentenced to undergo imprisonment for periods—

Not exceeding 1 month.

More than 1 month but less than 6 months.

Above 6 months.

\* Deleted by notification No. 5, dated the 3rd February 1913. Gazette of India, 1913, Pt. II, page 296.

*Register 1 of Assessment under Part IV, Schedule II, Act II of 1886.*

1	2	3	4	5	6	7	8	9	10	11
No. of case.	Date of publication of notice under Section 16 or service of notice under Section 17.	Name and residence of person on whom served.	Source or sources of income.	Place or places where income arises or accrues.	Amount of income estimated under Section 15.	Amount of duty payable thereon.	Amount of duty finally assessed under Section 27.*	Amount of refund if any, under Section 28,†	Amount of abatement under Section 33.	REMARKS.

*Register 1A—Assessment of Companies.*

1	2	3	4	5	6	7	8	9	10	11
No. of case.	Date of publication of notice under Section 16 or service of notice under Section 17.	Name and residence of person on whom served.	Source or sources of income.	Place or places where income arises or accrues.	Amount of income estimated under Section 15.	Amount of duty payable thereon.	Amount of duty finally assessed, under Section 29.	Amount of refund, if any, under Section 27.	Amount of abatement under Section 33.	REMARKS.

*Register 2 of Petitions of Objection under Section 25.*

1	2	3	4	5	6	7
No.	Date of petition.	Name and residence of petitioner, with number and register of assessment.	Purport of petition.	No. of persons summoned under Section 23	Decision, with grounds and date	REMARKS.

\* Sic, Read "26"

1

† Sic, Read "27."

Register 3 of proceedings against defaulters under law for the recovery of  
Municipal Taxes.

1	2	3	4	5	6	7	8
Consecutive No	No. of case in register of assessment.	Name of defaulter and amount of default.	Date of order for recovery and amount to be recovered.	Date and nature of each process issued.	Amount of duty recovered and date of recovery.	Amount of costs recovered and date of recovery.	REMARKS.

*Register A of Servants, Pensioners, and Annuitants of Companies, etc.,  
assessed under Part I of Schedule 2 of Act II of 1856.*

[illegible]

*Register B—Revision of Assessment by the Assistant to the Resident under Section 27.*

[illegible]

No. 2549, dated the 23rd May 1901.—Under the provisions of section 40 of the Income Tax Act, 1886 (II of 1886), as applied to the Civil and Military Station of Bangalore, the Amildar of the said Station is authorised to exercise the powers referred to in sections 41, 42, 43 and 44 of the said Act. *Amildar invested with certain powers.*

[*Gazette of India*, 1901, Pt. II, p. 767.]

Measures of Length Act, 1889.

No. 700—2979, dated the 1st March 1890.—Under the provisions of the Bangalore Measures of Length Law, 1889, the Resident in Mysore directs that the public servants mentioned in the schedule hereto annexed, who have been supplied with certified measures under the said Law, shall have charge of the said measures for the purposes of the said Law. *Officers in charge of measures.*

#### Schedule.

The Collector of the Civil and Military Station of Bangalore.

The District Superintendent of Police of the Civil and Military Station of Bangalore.

The Second Magistrate of the Civil and Military Station of Bangalore.

The Inspector, B-I Division of the Civil and Military Station of Bangalore.

The Inspector, B-II Division of the Civil and Military Station of Bangalore.

The Chief Constable, B-II Division of the Civil and Military Station of Bangalore.

The Inspector, B-III Division of the Civil and Military Station of Bangalore.

[*Gazette of India*, 1890, Pt. II, p. 127.]

Merchandise Marks Act, 1889.

No. 1219-I, dated the 12th April 1894. \* 3

2. In exercise of the power conferred by section 16 of the Act as so applied the Governor-General in Council is further pleased to direct that the provisions of Home Department<sup>2</sup> notification No 1474, dated the 13th November 1891, shall apply to that station. *Instructions to be observed by Criminal Courts with reference to trade descriptions of quantity, measure or weight of certain goods.*

[*Gazette of India*, 1894, Pt I, p. 201.]

Indian Railways Act, 1890.

No. 1330-I, dated the 23rd March 1891. \* 3

Delegation of powers and functions to the Resident.

2. In exercise of the power conferred by section 144 of the said Indian Railways Act, the Governor-General in Council is pleased to delegate to the

<sup>1</sup> Superseded by Act II of 1889 as applied by notification No. 732-D., dated the 19th March 1913 Printed Vol. I, p. 390.

<sup>2</sup> *Gazette of India*, 1891, Pt I, p. 626

<sup>3</sup> This clause applying the Act to the Civil and Military Station was cancelled by notification No. 2477-I.B., dated the 16th December 1910, now superseded by No 732-D., dated the 19th March 1913, paragraph II of which keeps paragraph 2 of this notification in force. Printed Vol I, p. 390.

Resident in Mysore, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act; the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor-General in Council may from time to time think fit :—

- (1) *Sections 7, 9 and 11.*—All the powers and functions of the Governor-General in Council, subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction of the Resident.
- (2) *Section 48.*—All the powers and functions of the Governor-General in Council, only in cases where the Railways concerned are under the control of the Resident.
- (3) *Section 51, clauses (a), (b), (c), (d), and (e), and section 55.*—All the powers and functions of the Governor-General in Council.
- (4) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (5) *Section 83.*—The power of notifying the Magistrates and police officer to whom notices of railway accidents are to be given.

[*Gazette of India, 1891, Pt. I, p. 167.*]

*No. 1832-1 B, dated the 21st April 1903.*—In exercise of the powers conferred by section 135 of the Indian Railways Act, 1900 (IX of 1900), as applied to the Civil and Military Station of Bangalore by the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 1530-I, dated the 23rd March 1901, and in supersession of the notification of the Government of India in the Public Works Department, No. 39, dated the 4th February 1903, the Governor-General in Council is pleased to declare :

- (a) in pursuance of clause (1) of that section, that the Madras Railway Company is liable to pay, in aid of the funds of the Bangalore Municipality, in respect of houses, buildings and lands occupied by the Company within the limits of the Civil and Military Station of Bangalore, the tax on buildings and lands, the water tax and the house scavenging tax, for the time being imposed by the Municipal Commission under the Bangalore Municipal Law, 1897; and
- (2) in pursuance of clause (2) of the said section 135, to appoint the Resident in Mysore to determine the sum, if any, which, having

<sup>1</sup> See now section No. 722 of the Act of 1903, paragraph 11 of which has been substituted for the above. *Statute Book, 1903, p. 121.*

regard to all the circumstances of the case, may appear to him to be a fair and reasonable sum for the said Railway Company to pay in lieu of the said taxes.

[*Gazette of India*, 1903, Pt. I, p. 387.]

Excise Act, 1896.

No. 46, dated the 27th June 1912.—The Hon'ble the Resident in Mysore is pleased to declare (1) Coca leaves, alkaloids of Coca, every other intoxicating drink or substance prepared from the Coca plant (*Erythroxylum Coca*), and all drugs, synthetic or other, having a like physiological effect to that of Cocaine, (2) every preparation and admixture of any of the above, to be included in the definition of "intoxicating drugs" contained in section 3, sub-section (i), clause (j) of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, by the notification of the Government of India, Foreign Department, No. 2477-I. B, dated 16th December 1910.

Cocaine and its all declared to be intoxicating drugs.

Provided that the Hon'ble the Resident shall have power to grant exemption from the operations of all prohibitions and directions contained in the said Excise Act and rules made thereunder in cases in which the proportion of the prohibited drug in any article is so small as to be negligible or in which other reasons render it impossible for the article to be used as an intoxicant.

[*Gazette of India*, 1912, Pt. II, p. 1079.]

No. 67, dated the 13th November 1907.—In exercise of the powers conferred upon him by section 9 (d) (e) (f) of the Excise Act, 1896 (XII of 1896), as in force in the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following rules for the working and supervision of breweries in the said Civil and Military Station in supersession of the rules issued under his notification No. 10, dated the 11th March 1907 :—

Brewery rules.

1. In these rules, unless the contrary appears from the context, "Collector" means the Collector of the Civil and Military Station of Bangalore.

2. Any person desirous of obtaining a license for a brewery shall apply to the Collector through the Superintendent of Excise, Civil and Military Station, Bangalore. The application shall be accompanied by a treasury receipt for Rs. 15 and a full description (hereinafter called an entry) of his premises and utensils, in which the purpose of, and the distinguishing mark on each room, place and vessel, shall be clearly specified. The entry will be checked either by the Superintendent of Excise or some other officer authorised to inspect breweries, who will certify to the fact if he finds it correct, and submit it

<sup>1</sup> See now notification No. 732-D, dated the 19th March 1913. Printed Vol. I, p. 307.

with the brewer's application, the treasury receipt and his remarks to the Collector, who will, if satisfied with the entry and that the applicant is a fit person to receive a license, recommend the issue of a license and the Resident will, if he thinks fit, issue a license accordingly.

*Note.*—Persons desirous of constructing new buildings or equipping already existing buildings to be used as breweries are advised, before commencing the work, to submit plans of the buildings and descriptions of the plant they propose to put up to the Collector through the Excise Superintendent for approval. Any alterations and additions suggested by the latter officer should be duly attended to, since persons neglecting to comply with such suggestions will run the risk of being refused a brewery license.

3. An officer (hereinafter called the Surveying Officer) will be appointed by the Collector to take account of all the operations in the brewery, and it shall be competent for him or for any other officer authorised to inspect breweries, to enter the building and visit and examine any room, place or utensil mentioned in the entry at any time either by day or night.

4. Licenses shall be in such form and for such period as the Resident may from time to time prescribe\* and may be renewed. Each application for renewal shall be made to the Superintendent of Excise at least one month

\* *License for the manufacture and wholesale vend of beer in the breweries at the Civil and Military Station of Bangalore.*

Registered No of License	.	.	.
Name of Brewer	.	.	.
Locality of Brewery	.	.	.

I, \_\_\_\_\_, Collector of the Civil and Military Station of Bangalore, being duly authorised by the Resident in Mysore under the provisions of the Excise Act, XII of 1896, as in force in the said Station, in consideration of the receipt of a fee of Rs. 15, hereby license you \_\_\_\_\_ trading as \_\_\_\_\_ to brew beer in the Civil and Military Station of Bangalore and to sell the same by wholesale during the year ending 31st March 19\_\_\_\_, subject to the following conditions to be observed by you, the said licensee,

#### CONDITIONS.

1. You shall be bound by the general conditions applicable to all Excise licenses as notified by the Resident in Mysore from time to time, so far as they concern you and by the following conditions which are special to brewery licenses.

2. You shall observe and keep all the rules applicable to breweries contained in the notification of the Hon'ble the Resident in Mysore under date the 11th March 1907, issued under the Excise Act, XII of 1896, and any other Law for the time being in force and relating to the Excise revenue.

3. You shall not manufacture or sell any liquor of any description other than beer brewed by you under this license, unless a separate license be granted to you.

4. Each bog'gal of beer manufactured by you shall be brewed with at least two bushels of malt and two pounds of hops and the quality of all such beer shall be to the satisfaction of the Resident.

before the expiration of the license and shall be accompanied by a treasury receipt for Rs. 15. A copy of the entry shall also be filed unless there has been no change in either the buildings or the plant since the issue of the previous license, in which case it will suffice if the Surveying Officer endorses that fact upon the application. The Superintendent of Excise will submit the application with its enclosures to the Collector for orders.

5. All mash-tuns, underbacks, coppers, coolers, fermenting and racking or setting vessels shall be so placed and fixed as to admit of the contents being accurately ganged and measured. Before being taken into use all such vessels shall be gauged jointly by the Superintendent of Excise and the Surveying Officer under the rules in force for gauging such vessels, and tables shall be constructed showing the total capacity of each vessel in imperial gallons (in the case of mash-tuns in imperial bushels) and its capacity for each tenth of an inch in depth. These tables before being taken into use shall be certified by the brewer or his accredited agent to be correct.

6. The name, or an abbreviation thereof, of each room or vessel shall be conspicuously painted thereon, and where more than one room or vessel is used for the same purpose they shall be distinguished by progressive numbers. Any room or vessel entered for a specific purpose shall be used for that purpose solely.

7. No alteration shall be made in the position or capacity of any gauged vessel without previous sanction in writing having been obtained from the Surveying Officer or his superior officer; and before any vessel so altered can be again taken into use it shall be regauged and new tables shall, if necessary, be constructed. In the absence of the Superintendent of Excise and to

Provided that, in the brewing of country beer, spent hops (not more than 24 hours old) or spent hops and hop substitutes may be employed to displace half the amount of unused hops: 2½ pounds of spent hops being taken as equivalent to one pound of unused hops and one pound of optanin (hop substitute) as displacing 75 lbs. of spent hops.

5. You shall be bound, on payment of the value in legal tender or on security for such value being given, to supply country beer (i.e., beer which satisfies the conditions laid down in paragraph 4 of this license and in the manufacture of which crude sugar is used) at a price not exceeding Rs. 30 per hog-head exclusive of duty—to all persons licensed to sell such beer. Applicants shall be entitled to have country beer of good quality issued to them in the order of their applications and with all reasonable despatch. All complaints as to the quality of the beer supplied will be disposed of by the Resident in Mysore whose decision shall be final.

6. You shall not sell beer to any one person at any one time in a smaller quantity than four gallons. Native beer can be issued only to licensed vendors, regimental canteens, and the Supply and Transport Corps.

7. In default of payment of the duty payable by you on the beer brewed in your brewery on the dates on which it falls due, interest will be charged at 5 per cent, per annum, and such interest and arrears may be recovered under the Law for the time being in force for the recovery of the arrears of Land Revenue.



avoid delay, such regauging shall be effected by the Surveying Officer and such other officer as the Collector may direct, their results being checked by the Superintendent of Excise on his next visit to the brewery.

8. Where beer is stored in casks which are used exclusively for storing beer and not for issue from the brewery, such casks shall be numbered consecutively and each shall have marked on both heads its number and capacity which shall also be entered in a register to be kept by the brewer in a form prescribed by the Resident. Any cask removed for repair or reworking shall be regauged before being again taken into use and, if the capacity has been affected, a new entry shall be made in the cask register. Each storage and issuing cask shall have the particular designation of the gyle from which it was racked (and no other) marked upon it, but when any cask can only be partially filled with the beer of one gyle and the beer of another gyle is added to fill it up, the number of each gyle and of the gallons racked from each shall be shown upon it so that the original gravity of the mixture can be determined.

9. The Surveying Officer will be provided departmentally with proper gauging rods and a standard saccharometer and thermometer. If the brewer questions the correctness of the instruments or the results obtained by the officer, he must immediately put in a written protest which will be forwarded with his remarks by the officer to the Superintendent of Excise who will, after due enquiry, report the matter to the Collector for orders.

10. Each licensed brewer shall keep in some part of the brewery, previously approved by the Collector, a brewing book in such form as the Resident may prescribe. This will be supplied to him by the Surveying Officer, and it shall be accessible by day or night to all officers authorised to inspect the brewery. In this book the brewer or some responsible person

8. You shall submit for the approval of the Collector the names of persons employed by you as managers and brewers and no persons not thus approved shall be permitted to act in these capacities.

9. You shall be bound by such departmental orders concerning breweries as may be issued by the Resident in Mysore from time to time.

10. The infraction of any of the conditions of this license either by you or by any person in your employment may entail on you (i) a fine which may extend up to Rs. 50 or (ii) the suspension or cancellation of your license or (iii) both.

Granted this

day of

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*Collector,  
Civil and Military Station, Bangalore.*

[Resident's order No. : 203, dated the 11th March 1907, as subsequently amended.]

employed by him, whose name has been previously approved by the Collector, shall correctly enter the particulars of each brewing. The book shall not be in any way defaced or mutilated and the loss of it will entail immediate suspension of the brewer's license and if, on enquiry, the explanation of the brewer is unsatisfactory, his license may be cancelled.

11. The brewer shall enter in the proper columns at least 24 hours before beginning to mash malt or grain or to dissolve sugar the day and hour of brewing with the date and hour of making the entry, and at least six hours before the time entered for mashing or dissolving he shall enter separately in the proper columns the quantities of malt or unmalted corn and of sugar or glucose to be used and the hour when all the worts will be drawn off the grains in the mash-tun. He shall also enter in the appropriate columns the dip and gravity of the worts collected, the number and description of the vessel or vessels in which they have been collected and the date and hour of the entry. Such entry shall be made within one hour after the collection has been completed or, if the worts be not collected before 6 P.M., the entry shall be made before 8 next morning. If fermentation has started before the requisite entry has been made, the brewer shall enter the true original gravity of the worts. Each entry shall be initialled by the brewer or his agent.

12. Beer shall be brewed from good materials and its quality shall be such as to satisfy the Resident. No beer shall be brewed which does not contain at least two bushels of malt to every bogshead, and the original specific gravity of the wort shall in no case exceed 1073°. Nothing shall be added to beer after it has been racked and removed to a beer store, except finings or other material approved by the Collector. Beer in beer stores must not be diluted and any beer found in store which has been either diluted or in any way adulterated shall be liable to forfeiture. The forfeiture of the beer will not relieve the brewer from the penalty of fine or cancellation of license under rule 21.

13. Officers surveying breweries shall, on every day on which they visit a brewery, make a complete survey of the whole of the brewery plant showing in the proper columns in a survey book, the form of which will be prescribed by the Resident, the condition of each vessel and the dip and gravity of each vessel containing fermenting wort unless such wort shall be fining, when, except in case of suspicion of fraudulent addition of saccharine matter or of addition or removal of wort, the surface need not be broken. A copy of each survey will be made in a similar book and left at the brewery for the information of the brewer.

14. Each brewer shall keep a stock account in such form as may be prescribed by the Resident in which he shall daily enter the quantity of beer actually brewed by him, the allowance for wastage at 5 per cent., the net quantity, the quantity issued and the person to whom issued. Each issue to any place within the Civil and Military Station of Bangalore shall be accompanied by a permit, the counterfoil of which shall be retained in the permit book. Permits shall be consecutively numbered, and before any permit book is taken into use it shall be examined by the Surveying Officer who will certify as to its correctness. No brewer is allowed to issue permits for consignments of beer to be exported to places outside the Civil and Military Station of Bangalore. Application for such permits should be made to the Superintendent of Excise who, if he sees no reason to the contrary, will grant the permit which must accompany the consignment and send a letter of advice to the brewer. All such letters of advice and counterfoils of permits issued by the brewer must be retained for at least a year. The stock book will be checked at least once in each week by the Surveying Officer, the quantities brought into it being compared with those entered in his survey book and the issues with the counterfoils of the permits issued, with the letters of advice from the Superintendent of Excise, if any, and with the certificates granted by the officers of the department to whom beer has been issued on the public service.

15. No entry in any of the books kept by a brewer under these rules shall be erased or overwritten. Should it be necessary to correct any entry, a line should be drawn through the incorrect entry in such a manner as to leave it distinctly visible and the amended entry should be inserted above it. Every correction shall be initialled by the person making it at the time and by the Surveying Officer in his next inspection of the book. Merely clerical or arithmetical errors need not be specially noticed, but in the case of errors, which cannot be so classed, the explanation of the brewer should be obtained and submitted to the Superintendent of Excise with the Surveying Officer's remarks.

16. Samples of wort in any stage of fermentation or of stored beer may be taken for analysis without payment by the Surveying Officer or any other officer authorized to inspect breweries. Samples of wort during fermentation should be taken by the Surveying Officer at least once in each quarter in accordance with such instructions as the Resident may issue and the Excise Superintendent should have them analysed. On any other occasion on which samples are taken either of wort or beer, the officer taking them should submit a special report through the Superintendent of Excise

to the Collector explaining the reasons for sampling and the nature of the analysis required. Samples of brewing materials will only be taken if called for by the Collector. When however there is a large discrepancy between the quantity of malt or unmalted corn entered in the brewing book and that of the grains in the mash-tun, a sample of the grain should be taken and at once sent for analysis, together with a report giving a copy of the entry in the brewing book, the dip of the grains in the mash-tun, the quantity represented by the dip and the percentage of increase or decrease. On this report and after examination of the sample, the Collector will pass such orders as he thinks fit.

17. The stock of beer in every brewery will be taken at least twice in each year by the Superintendent of Excise or such other officer as the Collector may direct and the results reported to the Collector. Stock may be taken at other times by the Surveying Officer or other officer superior to him and shall be taken at once if there is any suspicion of fraudulent practices. On each such occasion the officer taking stock will immediately report the result to the Collector with his reasons for taking stock. The explanation of the brewer for any excess or deficiency exceeding one per cent. found in stock should be obtained before the report is submitted. The Collector will pass orders whether any, and if so, how much duty shall be claimed in regard to such excess or deficiency.

18. The Superintendent of Excise after careful examination of all the books will submit to the Collector at the end of each quarter an account showing the quantity of beer actually brewed, less five per cent. allowed for wastage, and the duty thereon calculated at the rate of [three annas] <sup>1</sup> per imperial gallon or at such other rate as may be prescribed by the Government. On this account the Collector will pass orders as to the amount of duty to be paid. Beer issued to the Supply and Transport Department on the public service, for which certificates have been granted by the officers of that department, should be deducted from the net quantity brewed during the quarter before calculating the duty.

19. The brewer shall pay the duty demanded into the Resident's Treasury within five days of the receipt of advice of its amount. Interest at 6 per cent. per annum will be calculated upon all sums overdue at the date of payment. The Treasury Officer will grant a receipt to the brewer for all such payments and send a letter of advice to the Superintendent of Excise who will notify the payment to the Collector.

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<sup>1</sup> Substituted by notification No 18, dated the 26th February 1910. *Gazette of India*, 1910, Pt. II, p. 339.

20. If a brewer objects to the amount of duty demanded from him he may move the Collector to revise the charge. But no revision will be undertaken unless and until all sums demanded under rule 18 have been paid. In the event of the original charge being found incorrect any excess levied from him will be refunded to the brewer, and if the amount claimed from him is found to be less than that actually due he will be called upon to pay the difference at once into the Resident's Treasury. The brewery buildings shall be security for any duty which may become overdue.

21. In case of any breach of these rules or of the conditions of the license either by the brewer or by any person in his employment, it shall be competent for the Collector to impose a fine not exceeding Rs. 50 for each such breach or to suspend or recommend the cancellation of the license.

22. The imposition of a fine or the suspension or cancellation of the license under the last preceding rule shall not be held to prevent the prosecution of any person for any offence which he may commit against the provisions of the Excise Act XII of 1896 or other law for the time being in force. If on such prosecution before a Magistrate a brewer be convicted, it shall be lawful for the Collector to declare his license forfeited.

23. On a date to be fixed by the Collector, subsequent to the date on which these rules come into force, stock will be taken at all existing breweries. Duty, at the rate for the time being in force, will be claimed on all beer then found, less a five per cent. allowance for wastage, and a date or dates will be fixed by which all the duty so claimed must be paid into the Resident's Treasury.

24. Brewers shall be bound by all additional rules for the control of breweries which may hereafter be prescribed under the existing excise law or under any law which may hereafter be enacted and by all special orders issued by the Resident with regard to individual breweries and shall cause all persons employed by them in their breweries to obey all such rules.

[*Gazette of India*, 1907, Pt. II, p. 1702.]

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s of ganja

No. 7, dated the 24th February 1911.—Under section 13 of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, the Resident in Mysore, with the previous sanction of the Governor-General in Council, is pleased, in supersession of notification No. 2, dated the 7th January 1903, to impose a duty of Rs 7-8-0 per seer on ganja or any preparation or admixture thereof, imported into the said Station on or after the 1st April 1911.

[*Gazette of India*, 1911, Pt. II, p. 329.]

No. 47, dated the 27th June 1912.—In exercise of the power conferred by section 18, sub-section (2) of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, and with reference to this office notification<sup>1</sup> No. 46, dated the 27th June 1912, by which (1) Coca leaves, alkaloids of Coca, every other intoxicating drink or substance prepared from the Coca plant (*Erythroxylum Coca*), and all drugs, synthetic or other, having a like physiological effect to that of Cocaine and (2) every preparation and admixture of any of the above (hereinafter, for the sake of brevity, referred to as "Cocaine"), are declared to be intoxicating drugs for the purposes of the said Act, the Resident in Mysore is pleased to declare that the provisions of that section prohibiting the possession of Cocaine shall not apply :—

Exemptions granted as to the possession of cocaine, and its affiliates.

(i) to Cocaine possessed in accordance with the conditions of a license granted under the provisions of the said Act by a person (a) authorised to sell Cocaine: or (b) who employs or uses Cocaine in the exercise of his profession as a "qualified medical practitioner" as hereinafter defined.

(ii) to Cocaine, which has been purchased from a duly authorised vendor, for medical purposes on the prescription of a qualified medical practitioner.

N.B.—The term "qualified medical practitioner" means a graduate in medicine of a recognized University in India, Europe or America, a medical practitioner eligible for registration in the Medical Register of Great Britain, a medical subordinate in Government employment, including a Sub-Assistant Surgeon, a duly qualified dentist entitled to be entered in the Dentists' section of the Medical Register of Great Britain and any medical officer or other person whom the Resident in Mysore may direct to be admitted to the privileges of a medical practitioner

[*Gazette of India*, 1912, Pt II, p. 1070.]

<sup>2</sup> No. 433, dated the 26th January 1904.—In exercise of the powers conferred by section 10 of the Excise Act, 1896 (Act XII of 1896), as applied to the Civil and Military Station of Bangalore, and with the previous sanction of the Governor-General in Council, the Resident in Mysore is pleased to make the following rules for the cultivation of the hemp plant and the import, transport, storage and possession of intoxicating drugs :—

Rules prohibiting the cultivation of the hemp plant and regulating the import, etc., of intoxicating drugs, other than cocaine, and its affiliates. Establishment of a warehouse

(1) These rules shall apply to the Civil and Military Station of Bangalore.

(2) In these rules,—

(a) "ganja" means the dried flowering tops of cultivated female hemp plants which have become coated with resin in consequence of having been unable to set seeds freely :

<sup>1</sup> Printed *supra* p. 501.

<sup>2</sup> Cf. paragraph 3 of notification No. 67, dated the 16th August 1917, *infra* p. 511.



2. The Warehouse shall be opened at 7 A.M., and shall be closed at 12 noon, except on Sundays and other authorized holidays when it shall be closed unless otherwise directed by the Superintendent of Excise.

3. The Superintendent of Excise is authorized to grant permits in form 1 A for the importation of spirits into the Civil and Military Station from the Mysore Government Distillery at Bangalore.

4. For supplies of spirits, the Superintendent of Excise shall send to the officer in charge of the Mysore Government Distillery an indent in form 2 A together with the permit granted for the import of the consignment into the Civil and Military Station.

5. For supplies of intoxicating drugs, the Superintendent of Excise shall send to the officer of the Madras Government appointed for the purpose an indent in form 1 I.D., who will arrange for compliance with this indent.

6. The consignment of spirits shall be accompanied by a pass in form 3 A from the officer in charge of the Mysore Government Distillery, and each cask will be sealed by that officer. On receipt of the consignment indented for the officer in charge of the Warehouse shall compare the contents as entered in the pass with the details printed on the casks in which they are contained. The seals also shall be examined. Discrepancies or other irregularities shall at once be entered on the reverse of the pass and in the officer's diary and a report shall also be made to the Superintendent of Excise. The date and hour of the receipt of the consignment shall also be entered on the reverse of the pass. An impression of the seal used by the officer in charge of the Mysore Government Distillery shall be kept at the Warehouse.

7. The consignment of intoxicating drugs shall be accompanied by the necessary permit issued under the rules in force in the Madras Presidency. The consignment shall on arrival be verified by the officer in charge of the Resident's Treasury and the permit which accompanied it returned to the Store House Officer with the necessary entries made on its reverse.

8. All spirits or intoxicating drugs shall be kept in the store-room provided for the purpose in the casks or boxes in which they are received. The room shall be secured by an Abkari lock, one key of which shall be kept by the officer in charge and the other by the Superintendent of Excise.

9. The shroff at the Warehouse is authorized to receive payments of duty and cost price from licensed vendors desiring to purchase  $\frac{\text{5 A.}}{\text{S.I.D.}}$  <sup>spirits</sup>  $\frac{\text{6 A.}}{\text{I.D.}}$  from the Warehouse. The challan to be presented by such vendors shall be in form  $\frac{\text{5 A.}}{\text{S.I.D.}}$ . The shroff shall grant receipts in form  $\frac{\text{6 A.}}{\text{I.D.}}$ . The vendors will then submit an application in form  $\frac{\text{7 A.}}{\text{I.D.}}$  to the officer in charge, producing



the shroff's receipt and a permit book in form  $\frac{8 A.}{6 I. D.}$  Requisitions for issue of  $\frac{\text{spirits}}{\text{intoxicating drugs}}$  to several shops may be submitted on one application so long as the shops belong to one and the same licensed vendor.

10. Prior to the issue of  $\frac{\text{spirits}}{\text{intoxicating drugs}}$  the officer in charge of the Warehouse shall enter the number of the receptacle from which the issue is to be made and the reputed quantity and, in the case of spirits, the strength of its contents in a register to be maintained for that purpose in form  $\frac{4 A.}{2 I. D.}$ . A record of issues as they are made shall be maintained, and the total actual contents as ascertained shall be entered in the register as also the wastage or excess as compared with the reputed contents. In the event of the wastage exceeding 1 per cent of the reputed contents, an immediate report shall be made through the Superintendent of Excise to the Collector, who, if satisfied that the wastage is due to accident or unavoidable causes, may order the amount to be written off the Warehouse accounts; otherwise he shall refer the matter for the orders of the Resident.

11. No smaller quantity of  $\frac{\text{spirits}}{\text{intoxicating drugs}}$  than  $\frac{\text{one Imperial gallon}}{\text{one seer}}$  shall be issued from the Warehouse at any one time

12. On each cask used at the Warehouse for the conveyance of spirits from the Mysore Government Distillery the contents in gallons, the consecutive number of the cask according to the register and the letters "C. and M. Warehouse" shall be legibly cut or branded or marked in oil paint. If a cask is taken to pieces for repairs or for purposes of easy transport it need not be re-gauged, unless on checking the bung capacity, the diameters and length which shall always be done, a difference exceeding 1 per cent. be found in which case it shall be re-gauged.

13. A guard shall be maintained at the Warehouse the strength of which shall ordinarily be two peons. The Superintendent of Excise shall, when collections are kept in the cask chest of the Warehouse, arrange for an extra guard to watch over the cask chest.

14. The use of uncovered lights of any description within the Warehouse is prohibited.

15. All measures and weights used at the Warehouse shall from time to time be inspected and gauged by the Superintendent of Excise or his Assistant, and whenever this is done the result shall be recorded by the inspecting officer in the Warehouse diary (*vide* Rule 21 (g).)

16. The Superintendent of Excise and his Assistant shall inspect the Warehouse as frequently as possible without previous notice being given.

17. Except with the permission of the Superintendent of Excise, or other superior officer, no one except officers of the Excise Department and the superior officers of other Government Departments, licensees and their servants who come to purchase intoxicating drugs or spirits shall enter the Warehouse on any pretext whatever.

18. All persons entering the Warehouse shall be subject to the control of the officer in charge in respect of their conduct and proceedings within the Warehouse and shall be liable to search on their quitting the premises at the discretion of the officer in charge.

19. The officer in charge of the Warehouse may eject from the premises any person whom he may find to have committed or to be about to commit any breach of these rules, or of the provisions of the Excise Act, 1896, or who may be intoxicated, riotous or disorderly.

20. All forms which licensees of excise shops are required to use under the rules issued by competent authority shall be supplied to them by the officer in charge of the Warehouse on payment of such price as may be fixed by the Collector at as near the cost price as possible.

21. The following registers and account shall be maintained in the Warehouse in the forms appended to these Rules :—

(Note—The letters "A" denotes arrack series " and letters I. D " denote intoxicating drug series.

(a) Form  $\frac{4 A.}{I. D.}$  (Register of  $\frac{\text{spirits}}{\text{intoxicating drugs}}$ , received into and issued from the Warehouse).—The Register in form 4 A contains columns for noting the strength of spirits. In column 5 of this form the officer in charge of the Warehouse shall enter the strength of spirit contained in the cask opened, ascertained by him prior to issue (*vide* also rule 10).

(b) Form  $\frac{5 A.}{I. D.}$  (Detailed account showing the quantity of  $\frac{\text{spirits}}{\text{intoxicating drugs}}$  sold daily).—The officer in charge of the Warehouse shall maintain an account in this form which must be written up at the close of each day's transactions and must be compared by him with the shroff's collections on account of spirits and intoxicating drugs for the day as entered in the latter's cash-books, with the totals of which it should tally. If he finds that the totals of the figures tally with the shroff's cash account, he shall initial the latter account in token of its being correct. Should he find any discrepancy that cannot be accounted for, he shall at once report the fact to the Superintendent of Excise. A copy of this account shall be submitted daily to the Collector through the Superintendent of Excise

(c) Form  $\frac{10 A.}{I. D.}$  (Challan for payment of money into the Resident's Treasury).—The shroff shall at the close of each day's transaction pay the

total collections into the Resident's Treasury. The remittance shall be accompanied by duplicate chellans in this form. There shall be separate chellans in respect of collections on account of spirits and intoxicating drugs and in the case of each of these also there shall be separate chellans for the cost price of the excisable articles and for the duty collected thereon. All chellans shall be checked and initialled by the officer in charge of the Warehouse. On receipt of the remittance one copy of each chellan shall be signed by the Treasury Officer in token of the receipts of the remittance and the duplicate shall be retained by him. Should the treasury be closed on account of some gazetted holiday or otherwise, the collections shall be kept in the cash chest at the Warehouse, one key of which shall be kept by the shroff and the other by the officer in charge of the Warehouse. As soon as the treasury re-opens necessary remittances shall be made.

(d) Form  $\frac{11}{51} \frac{A}{D}$ . (*Abstract Account of total daily receipts and sales with stock and cash account*).—The officer in charge of the Warehouse shall keep an abstract account of the total daily receipts and sales of spirits and intoxicating drugs in this form. He shall write it up daily. At the close of each month the totals shall be filled up and an extract of the amount in the same form shall be submitted to the Collector through the Superintendent of Excise on or before the 5th of the following month, together with the original permits covering the amount of excisable articles received during the month, and the applications in form  $\frac{7}{61} \frac{A}{D}$ , and the shroff's receipts in form  $\frac{6}{41} \frac{A}{D}$ , for the amount of duty and cost price collected on all issues during the month. Every entry in form  $\frac{11}{51} \frac{A}{D}$  must be checked by the Superintendent of Excise or his Assistant with other Warehouse accounts and must bear the initial of the checking officer in token of its being correct. The extract shall also be checked in the Collector's Office with its enclosures. The Collector shall also obtain from officers concerned duplicates of the permits which shall be checked with the permits received from the Warehouse. The account submitted by the Treasury Officer of collections received from the Warehouse during the month shall also be compared in the Collector's Office with the particulars of remittances made as entered in form  $\frac{10}{81} \frac{A}{D}$ .

(e) Form  $\frac{12}{101} \frac{A}{D}$ . (*Shroff's cash book*).—The shroff shall keep separate cash accounts in these forms on account of spirits and intoxicating drugs.

(f) Form  $\frac{13}{111} \frac{A}{D}$ . (*Register of receptacles used in the Warehouse for storage and transport of spirits and intoxicating drugs*).—Every cask or box used in the

Warehouse shall bear a consecutive number and shall be entered in this register. In the case of casks as such measurements may be useful for reference though not absolutely correct, the capacity by the gauging rod, the diameters and the length shall as far as possible be taken and recorded in this register, as also its exact contents as ascertained by actual measurement with spirits or water. All entries in this register shall be dated and initialled by the officer making them.

(g) *Form 12.—(Warehouse diary).*—The officer in charge of the Warehouse shall keep a diary in this form in which he shall record at the time and in ink the exact hours of his daily arrival at and departure from the Warehouse, of his opening and closing of the same, of the receipt and removal of spirits and intoxicating drugs. He shall also record herein all action taken by him under the Warehouse rules. He shall also keep a full record of the use made of lock tickets. The shroff shall enter in this diary the exact hour of his daily arrival at the Warehouse. Superior officers inspecting the Warehouse should initial the diary after entry of such remarks as they find necessary, and should append to their initial the date and hour of their visit.

(h) *Form 13.—(Duty Roster).*—The register must show the date and hour on which each peon shall be on duty, and be filled in daily by the officer in charge and read over to the guard.

(i) *Form 14.—(Register of store articles).*—A list of all articles used at or in connection with the Warehouse shall be maintained by the officer in charge in this form.

22. Payment for the cost price of spirits supplied to the Warehouse shall be made in the following manner:—

- (i) A bill for the cost price of the spirits supplied to the Warehouse shall be submitted by the manufacturers to the Superintendent of Excise, once a fortnight.
- (ii) On receipt of the bill the Superintendent of Excise or his Assistant shall check it with the Warehouse accounts, and having ascertained that the amount of the bill is correct shall certify to the following effect on the bill.  
 “Certified that I have personally checked this bill with the Warehouse accounts and found that the amount of the same (rupees in words) is correct.”
- (iii) Should the bill submitted be found to be incorrect it shall at once be returned to the manufacturers for amendment.
- (iv) The Collector shall on receipt of the bill from the Superintendent of Excise have it checked in his office and then pass it for payment at the Hon'ble the Resident's Treasury.

23. Payment for the cost price of intoxicating drugs including the cost of transport shall be effected by means of a remittance transfer receipt obtained from the Resident's Treasury, Bangalore, the amount thereof being placed at the disposal of the Store House Officer concerned.

### FORM NO. 1 A.

Permit for the import of Arrack from the Mysore Government Distillery into the C. & M. Station of Bangalore.

*N. B.*—The permit should be issued in duplicate. One copy to be filed in the Mysore Government Distillery and the other to accompany the consignment.

1	2		3	4	5
Name of permit holder.	Quantity.		Place of despatch and route.	Period for which permit is valid.	Remarks.
	Gallons.	Drams.			
				From To	

C. & M. STATION, BANGALORE.

*Dated*

*Superintendent of Excise.*

Permit for the import of Arrack from the Mysore Government Distillery into the C. & M. Station of Bangalore.

*N. B.*—The permit should be issued in duplicate. One copy to be filed in the Mysore Government Distillery and the other to accompany the consignment.

1	2		3	4	5
Name of permit holder.	Quantity.		Place of despatch and route.	Period for which permit is valid.	Remarks.
	Gallons.	Drams.			
				From To	

C. & M. STATION, BANGALORE.

*Dated*

*Superintendent of Excise.*

## FORM No. 2. A.

No.      Dated      19 .

FROM

THE SUPERINTENDENT  
OF EXCISE,  
Civil and Military Station,  
Bangalore..

To

THE OFFICER IN  
CHARGE OF  
BANGALORE  
DISTILLERY.


SIR,

I have the honour to request that  
you will supply me with  
casks of                      under-proof  
liquor.

2. The import permit prescribed  
by the rules in force in the Civil and  
Military Station, is enclosed.

I have, etc.,

*Superintendent of Excise.*

 Endorsement to be printed on  
the back of this form.

Received      cask of arrack as per pass  
No      dated      from the  
Excise Officer issuing liquor from Bangalore  
Distillery at      on

*Sub-Inspector.*

No      Dated      19 .

FROM

THE SUPERINTENDENT  
OF EXCISE,  
Civil and Military Station,  
Bangalore.

To

THE OFFICER IN CHARGE  
OF BANGALORE  
DISTILLERY.

SIR,

I have the honour to request that  
you will supply me with  
casks of                      under-proof  
liquor.

2. The import permit prescribed by  
the rules in force in the Civil and  
Military Station, is enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

*Superintendent of Excise.*

23. Payment for the cost price of intoxicating drugs including the cost of transport shall be effected by means of a remittance transfer receipt obtained from the Resident's Treasury, Bangalore, the amount thereof being placed at the disposal of the Store House Officer concerned.

### FORM No. 1 A.

Permit for the import of Arrack from the Mysore Government Distillery into the C. & M. Station of Bangalore.

*N. B.*—The permit should be issued in duplicate. One copy to be filed in the Mysore Government Distillery and the other to accompany the consignment.

1	2		3	4	5
Name of permit holder.	Quantity		Place of despatch and route.	Period for which permit is valid.	Remarks.
	Gallons.	Drams.			
				From To	

C. & M. STATION, BANGALORE.

*Dated*

*Superintendent of Excise.*

Permit for the import of Arrack from the Mysore Government Distillery into the C. & M. Station of Bangalore.

*N. B.*—The permit should be issued in duplicate. One copy to be filed in the Mysore Government Distillery and the other to accompany the consignment.

1	2		3	4	5
Name of permit holder.	Quantity.		Place of despatch and route.	Period for which permit is valid.	REMARKS.
	Gallons.	Drams.			
				From To	

C. & M. STATION, BANGALORE.

*Dated*

*Superintendent of Excise.*

## FORM No. 2. A.

No.      Dated      19 .

FROM

THE SUPERINTENDENT  
OF EXCISE,  
Civil and Military Station,  
Bangalore.

To

THE OFFICER IN  
CHARGE OF  
BANGALORE  
DISTILLERY.


SIR,

I have the honour to request that  
you will supply me with  
casks of                      under-proof  
liquor.

2. The import permit prescribed  
by the rules in force in the Civil and  
Military Station, is enclosed.

I have, etc.,

*Superintendent of Excise.*

 Endorsement to be printed on  
the back of this form.

Received      cask of arrack as per pass  
No.      dated      from the  
Excise Officer issuing liquor from Bangalore  
Distillery at      on

*Sub-Inspector.*

No      Dated      19 .

FROM

THE SUPERINTENDENT  
OF EXCISE,  
Civil and Military Station,  
Bangalore.

To

THE OFFICER IN CHARGE  
OF BANGALORE  
DISTILLERY.

SIR,

I have the honour to request that  
you will supply me with  
casks of                      under-proof  
liquor.

2. The import permit prescribed by  
the rules in force in the Civil and  
Military Station, is enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

*Superintendent of Excise.*





## FORM No. 4A.

*Register of spirits received and issued from each cask in the Excise Warehouse  
C. and M. Station, Bangalore.*

Date.	No. and reputed quantity and strength of the cask opened.			Actual strength as ascertained prior to issue.	Issues.			Actual quantity as ascertained on emptying cask.	Wastage or excess.	Remains.
	Cask No.	Reputed quantity.	Strength.		Permit No.	Shop No.	Quantity.			
1	2	3 Gals—Drs.	4	5	6	7	8 Gals—Drs.	9 Gals—Drs.	10 Gals—Drs.	11

## FORM No. 5 A.

No.

Dated

19 .

To

The Shroff, Government Excise Warehouse, Bangalore.

Sir,

Please receive the sum of R \_\_\_\_\_ as detailed below, on account of the undermentioned spirits to be removed from the Excise Warehouse for sale at Shop No. \_\_\_\_\_

R a. p.

1. Price of gals. of the strength of u. p. at R per gal.
2. Duty on do. do. do.

Total R \_\_\_\_\_

Yours faithfully,  
Licensee of Shop No. \_\_\_\_\_

Форм. №. 6 А.

No.	dated	10	No.	dated	19
Received from			Received from		
the sum of *R			the sum of *R		
as detailed below.			as detailed below.		
R a. p.			R a. p.		
1. Price of	gals. of	u. p.	1. Price of	gals. of	u. p.
arrack at R	per gal.	.	arrack at R	per gal.	.
2. Duty on	gals. of	u. p.	2. Duty on	gals. of	u. p.
arrack at R	per gal.	.	arrack at R	per gal.	.
Total R			Total R		
Initials of Shroff.			Shroff at Excise Warehouse.		

\* Here enter the answer in words.

FORM No. 1-A.

No.	Date	10
-----	------	----

The Officer in charge of the Excise Warehouse, Bangalore

Sir, Please issue permit for the transport of the undermentioned spirit for the duty and the price of which I herewith submit Shroff's receipt No. dated 12 for Rs.

Quantity	Type	Price	Duty	Consignor's Name		Remarks
				No.	Locality	
1	2	3	4	5	6	7

Yours faithfully,  
 L. J. B. B. B. B. B.

## FORM No. 8 A.

*Arrack Permit Book.*

Licensed Shop-keeper named — No. — is permitted to transport the undermentioned arrack to his licensed shop at — from the Government Excise Warehouse in the Civil and Military Station, Bangalore.

Serial No. of permit	Date and hour of issue.	Quantity of arrack issued.	No. of cask from which issued.	Route by which the arrack is to be transported.	Period of currency of permit.	Signature of the person granting the permit.
1	2	3	4	5	6	7

## FORM No. 9 A.

*Detailed Account showing the quantity of spirits sold daily to retail vendors of Arrack in the Civil and Military Station, Bangalore.*

Month and Date.	Arrack Shop No.	No. of Gallons sold.	Price of spirits.	Government duty.	Total.	REMARKS.
1	2	3	4	5	6	7

## Form No. 10 A.

No.

ORIGINAL.

Challan for payment of money into  
the Hon'ble the Resident's Treasury,  
Bangalore.

No.

Duplicate.

Challan for payment of money  
into the Hon'ble the Resident's  
Treasury, Bangalore.

1	2	3			1	2	3		
By whom paid (with signature and date).	On what account.	Amount.			By whom paid (with signature and date).	On what account.	Amount.		
		Rs.	A.	P.			Rs.	A.	P.
Rupees	Total				Rupees	Total			

Received Rupees  
entered

### Resident's Treasury.

Dated,

Accountant.

**Treasurer**

**Treasurer Officer.**

Received Rupees  
entered

### Resident's Treasury.

Dated,

Accountant

**Treasurer**

**Treasury Officer.**

## Form No. 11 A.

*Abstract account of total daily receipts and sales of Arrack at the Excise Warehouse with abstract stock and cash account for the month of 19 .*

[illegible]

## FORM No. 12 A.

Receipts.					Cash Account.		Expenditure.		
1	2	3	4	5	6	7	8	9	10
Month and date.	Particulars.	Amount.	Total.	REMARKS.	Month and date.	Particulars.	Amount.	Total.	REMARKS.
		Rs. A. P.	Rs. A. P.				Rs. A. P.	Rs. A. P.	

## FORM No. 13 A.

*Register of casks used in the Excise Warehouse of the Civil and Military Station.*

Consecutive No.	Contents in gallons by measurement.	DENO MEASUREMENT.		Diameter at heads (inside).	Length.	Date of measurement.	Initials of measuring officer.	REMARKS.
		From bung hole to lower chent (average).	Bung diameter.					
1	2	3	4	5	6	7	8	9

## FORM No. 5 I. D.

No.

Dated

19 .

To

The Officer in charge of the Excise Warehouse, Bangalore.

SIR,

Please issue permit for the transport of the undermentioned quantity of ganja, for the duty on and the price of which I herewith submit Shroff's receipt No. dated for Rs.

Quantity.	Price.	Duty.	Consignee's shops.		REMARKS.
			No.	Locality.	
1	2	3	4		5

Yours faithfully,  
Licensee of Shop No.

## FORM No. 6 I. D.

## Ganja Permit Book.

Licensed Shop-keeper named No. is permitted to transport the undermentioned ganja to his licensed shop at from the Government Excise Warehouse in the Civil and Military Station, Bangalore.

Serial No. of permit.	Date and hour of issue.	Quantity of ganja issued.	Route by which the ganja is to be transported.	Period of currency of permit.	Signature of the person granting the permit.
1	2	3	4	5	6

## FORM No. 7 I. D.

*Statement showing the quantity of intoxicating drugs sold daily to retail vendors of ganja in the Civil and Military Station, Bangalore.*

Month and Date.	Ganja Shop No.	No. of seers sold.	Price.	Government duty.	Total.	REMARKS.
1	2	3	4	5	6	7

## FORM No. 8 I. D.

No.

No.

## ORIGINAL.

## DUPLICATE.

Challan for payment of money into the Hon'ble the Resident's Treasury, Bangalore.

Challan for payment of money into the Hon'ble the Resident's Treasury, Bangalore.

1	2	3	1	2	3
By whom paid (with signature and date).	On what account	Amount	By whom paid (with signature and date)	On what account.	Amount.
		Rs. A. P.			Rs. A. P.
Rupees	Total		Rupees	Total	

Received Rupees  
entered  
Resident's Treasury.  
Dated, Accountant.  
Treasurer Treasury Officer.

Received Rupees  
entered  
Resident's Treasury  
Dated, Accountant.  
Treasurer Treasury Officer.





FORM No. 11 I. D.

*Register of boxes used in the Excise Warehouse Civil and Military Station.*

Consecutive No.	Contents	Date of Measurement.	Initials of measuring officer.	REMARKS
1	2	3	4	5

FORM No 12.

*Diary of the Officer in charge of the Excise Warehouse.*

Date.	Serial number of transaction.	Hour.	No. of LOCK TICKET.		Particulars.
			Put on.	Taken off.	
1	2	3	4	5	6

FORM No. 13.

*Duty Roster.*

Date.	Name.	Hour of duty	REMARKS
1	2	3	4

## FORM No. 14.

*Store Register of articles in the Excise Warehouse, Civil and Military Station.*

Date of receipt.	Description of article.	REMARKS.
1	2	3

[*Resident's Proceedings.*]

*No. 11, dated the 21st August 1885.*—In exercise of the powers conferred by section 34 A of Act XXII of 1881 (the Excise Act), as amended by Act VI of 1885, the Resident in Mysore is pleased to invest the officers of the Police force of the Civil and Military Station of Bangalore, of and above the grade of Chief Constables, with the powers conferred on Excise officers by sections 27, 28 and 29 of Act XXII of 1881 (the Excise Act), as amended by Act VI of 1885, to be exercised within the limits of the Civil and Military Station of Bangalore.

[*Gazette of India, 1885, Pt. II, p. 432.*]

*No. 48, dated the 27th June 1912.*—In exercise of the powers conferred by section 65 of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, the Resident in Mysore is pleased to make the following rules for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs.

1. In these rules—

- (a) "Liquor" includes spirits of wine, spirits, wine, toddy or tari, beer and all liquid consisting of or containing alcohol.
- (b) "Foreign liquor" means and includes all wines, spirits and beer imported into the Civil and Military Station from foreign territories by sea or land; plain rectified spirits imported or locally made and on which the tariff rate of duty has been paid; all spirits manufactured or compounded in the country and made in colour or flavour to resemble brandy, gin, rum, or whiskey (or spirits manufactured in Malabar from cocoanut-toddy, called

to certain  
officers of  
powers of  
officers

or the grant  
uses for the  
spirits, fer-  
menting drugs

"Malabar arrack"), and excised at the tariff rates of import duty; and beer brewed in India or beer imported in a condensed form and afterwards converted into potable beer and duly excised; but excludes methylated and caoutchoucised spirits, and ordinary arrack.

(c) "Intoxicating drug" means (i) ganja, bhang, charas, and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis Sativa*), (ii) cocaine and every other drug which the Resident may, by notification, declare to be included in the definition of intoxicating drugs under section 3 (i) (j) of the Excise Act, 1896, and (iii) every preparation and admixture of any of the above.

(d) "Cocaine" shall mean and include (i) coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum Coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine and (ii) every preparation or admixture of any of the above.

(e) "Native beer" means beer brewed in India (i) which contains at least two bushels of malt and two pounds of hops per hogshead and in the manufacture of which jaggery or cane sugar is employed, (ii) which is brewed at a higher original gravity than 1032° on a standard saccharometer, and (iii) the maximum price of which at the brewery, excluding the duty, which may, from time to time, be prescribed is, Rs 30 per hogshead.

2. Manufacturing chemists and druggists desirous of taking advantage of the concession contained in the proviso to notification No. 46, dated 23rd August 1911, should apply to the Collector, through the Superintendent of Excise, for a license to possess and use rectified spirit in the manufacture of drugs, medicines or chemicals. A license may be granted, free of fee, at the discretion of the Collector on the applicant entering into a bond undertaking to use the rectified spirit for the purpose specified in the license and for no other.

3. The Collector may issue licenses in the appropriate forms appended to these rules for any of the following purposes. Unless otherwise ordered by the Resident, fixed fees shall be payable in respect of licenses described as Nos. 6 to 16 below at the rates specified against them.

(1) Arrack shop license. For the sale of country spirits to be consumed on the premises.

(2) Toddy shop license. For the sale of toddy:

- (3) Ganja shop license. For the sale of intoxicating drugs :
- (4) Beer Tavern license. For the sale of native beer to be consumed on the premises :
- (5) Foreign liquor tavern license. For the sale of foreign liquor to be consumed on the premises :
- (6) Wholesale foreign liquor license. For the sale of foreign liquor not to be consumed on the premises : Rs. 100.
- (7) Retail foreign liquor license. For the sale of foreign liquor not to be consumed on the premises : Rs. 200.
- (8) Hotel license. For the sale of foreign liquor by keepers of hotels and boarding-houses to residents in such institutions : Rs. 50.
- (9) Refreshment-room license. For the sale of foreign liquor to railway passengers and persons served with catables for consumption on the premises : Rs. 50.
- (10) Bar license. For the sale of foreign liquor to be consumed on the premises : Rs. 50.
- (11) Chemist's license. For the sale of pure rectified spirits by chemists and druggists : Rs. 10.
- (11) (a) License to chemists and druggists for possession and use of rectified spirit in the manufacture of drugs, medicines or chemicals : Free of fee.
- (12) Occasional license. For the sale of spirituous and fermented liquors at race-meetings, bazaars or other public entertainments for periods not exceeding 10 days : Rs. 5 per diem.
- (13) Bottling license. For enabling foreign liquor licensees to bottle foreign liquor imported in bulk : Rs. 50.
- (14) License to chemists and druggists and medical practitioners for the sale of cocaine : Rs. 6.
- (15) License to medical practitioners for the possession of cocaine for use in the exercise of their profession : Rs. 6.
- (16) License for the sale of medicated wines and similar preparations : Rs. 10.
- (17) License for the sale of foreign liquor by auctioneers : Rs. 5.
- (18) Special retail license—granted to the contractor under the Military Canton tenant system for the sale of foreign liquor to be consumed on the premises : Rs. 24 or Rs. 12.
- <sup>1</sup> (19) License for the possession of toddy by persons using it in the manufacture of bread : Free of fee.

<sup>1</sup> Inserted by notification No. 3, dated the 31st January 1913 *Gazette of India*, 1913, Part II, page 222.

4. The Collector may sell by auction the right to hold any of the licenses mentioned in Rule 3 in respect of which fixed fees are not payable for any period as may from time to time be fixed by the Resident. The terms and conditions of the sale and of the grant and issue of licenses shall be as follows :—

i. Each bidder at the auction shall, before bidding, deposit the sum of Rs. 50 in the Resident's Treasury and show the Treasury receipt to the officer conducting the sale. The shops shall, subject to the provisions of the next succeeding clause, be knocked down to the highest bidder above the upset price, subject to formal confirmation by the Collector. Such formal confirmation shall, unless revised by the Resident for special reasons, be tantamount to an acceptance of the bid and shall be necessary whether the sale be held by the Collector himself or by any other officer deputed by him. Parties intending to bid must attend either in person or by duly accredited agents, who should produce a power-of-attorney in token thereof.

ii. It shall be within the discretion of the officer conducting the sale to decline to accept any bid or deposit if, for any sufficient reason, he considers such acceptance to be undesirable.

iii. As soon as the auction is completed, the deposit made by each unsuccessful bidder shall be returned to him at once on his producing the receipt of the Treasury Officer duly endorsed by the Collector for refund. As the auction proceeds, the person whose bid is accepted for each shop shall at once deposit in the Resident's Treasury a sum equal to half a month's rent for that shop in addition to the deposit required under clause i. Should he fail to do this, the deposit made by him under clause i shall be forfeited, the shop shall at once be put up again for sale on the above conditions, and he shall be debarred from bidding again for the same or any other shop.

iv. Persons to whom shops have been knocked down, and who have made deposits as provided in clause iii shall also, within seven days from the date of auction, deposit in the Resident's Treasury such further sum as with the former deposits will make up an amount equal to two months' rent of each shop knocked down to them, and shall take out licenses on the conditions hereinafter set forth.

v. If on enquiry subsequent to sale, but before final confirmation thereof, the purchaser shall be found to be of doubtful solvency, he may be required to deposit in the Resident's Treasury twice the amount prescribed under clause iv, or to provide two sureties to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. All expenses attendant upon this proceeding shall be borne by the purchaser.

vi. On the failure of any person to make deposit under clause iv, or to take out a license as aforesaid, or to comply, if required to do so, with a requisition under clause v, the deposits made under clauses i and iii shall be forfeited, and the shop or shops re-sold or otherwise disposed of at the discretion of the Collector.

vii. Re-sale effected under clause vi shall be at the risk of the defaulting bidder, who shall forfeit any gain that may ensue owing to a rise in price, and in the event of loss by re-sale, shall make good the deficiency that may be occasioned through his default. In the latter case the forfeited deposits shall be deducted from the loss arising from the re-sale and the remainder, if any, shall be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits shall be credited to Government. The defaulting bidder shall be similarly liable if the privilege be disposed of otherwise than by re-sale and such disposal results in loss to Government.

viii. A purchaser at an auction sale or re-sale shall not be permitted to sell, transfer or sub-let the right he has acquired or any interest therein without the consent of the Collector, which will only be given if the applicant is prepared to forfeit his deposit already made; nor shall he appoint any person to act as his agent in the management of the shop without the Collector's previous approval.

ix. In case of any breach of the conditions of the license, either by the purchaser or by any person in his employment, it shall be competent to the Collector to impose a fine not exceeding Rs. 50 for every such breach of the conditions of the license, or to declare the money deposited with him forfeited and to cancel and re-sell the license at the purchaser's risk, and all loss caused thereby shall be made good by him.

The Superintendent of Excise is also competent to impose a fine up to Rs. 20 for every such breach of the conditions of the license, which has not been dealt with by the Collector.

x. The imposition of a fine or the forfeiture of deposit, or the cancellation of the license under the last preceding clause shall not be held to prevent the prosecution of the purchaser or any of his servants for any offence which may be committed against the Excise Laws or Rules in force.

xi. If it comes to the knowledge of the Collector that the purchaser fails to open his shop, or to carry on his business with due care and attention, or that he has been convicted of an offence under the Indian Penal Code, or under the Excise Laws or Rules, it shall be lawful to the Collector to cancel his license, and to re-sell or otherwise dispose of the privilege at the purchaser's risk.

xii. The purchaser shall pay the amount, for which the privilege above described has been purchased, into the Resident's Treasury in equal monthly instalments on or before the 20th of each month commencing from the 1st of the month in which the license comes into force. If the deposit made by him under clause iii be in cash, it will be taken in payment of the instalments due on the last two months of the period of the lease. Failing payment by the 20th of the month, the Collector may, if he considers it sufficient, impose a fine according to the marginally noted scale;\* or may at once proceed to recover the arrears

	Rs.	
* In khists under Rs. 50	1	in the manner prescribed by law. If the
„ from 50 to 100	2	instalment has not been paid by the 5th of
„ „ 100 to 250	5	the following month the Collector may
„ „ 250 to 500	10	suspend or annul the license and issue
„ „ 500 to 750	15	notice of re-sale, and may re-sell the license
„ „ 750 to 1,000	20	

on the date fixed with effect from the date of its issue to the new purchaser. In that case the deposit shall be forfeited, and if it should fall short of the arrears due and the loss, if any, caused by the suspension or re-sale, the purchaser shall be responsible for the difference which may be recovered by the Collector in the manner prescribed by law. If the Collector does not re-sell the shop he may make such other arrangements as may appear advisable for the remainder of the lease, in which case he will serve a notice upon the defaulting purchaser detailing the nature of the arrangements made. No remission or abatement of the rent shall, on any account whatever, be claimable by the purchaser.

xiii. The purchaser of the shop shall be liable to the penalties prescribed for breaches of the conditions set forth in the prescribed form of license though a formal license may not have been issued to him.

5. Unless otherwise provided for, all licenses granted under these rules shall, so far as they are generally applicable, be subject to the following conditions:—

i. The possession or sale of licit <sup>Liquor</sup> ~~intoxicating drugs~~ shall be limited to, and made in, the building specified in the license granted and not elsewhere on any pretext whatever.

ii. The licensee shall be bound by any additional rules which may be prescribed under the Excise Law now in force, or which may hereafter be enacted, and shall, on requisition by the Collector or by any officer duly authorised by the Collector, deliver up his license for amendment or for the issue of a fresh license accordingly.



vi. The licensee shall neither allow any child of or under 14 years of age into the licensed premises, nor knowingly give or sell  $\frac{\text{liquor}}{\text{intoxicating drugs}}$  to

- (1) Sailors of the Royal Navy, soldiers and the members of their families, except when supplied at licensed houses, refreshment rooms and shops, which have been specially approved by the General Officer Commanding the Division (or Independent Brigade) or the Officer Commanding the Station or Camp, and then only in respect to such  $\frac{\text{liquors}}{\text{intoxicating drugs}}$  as shall be approved by the same authority in consultation with the local Excise authorities, and specified in the vendor's license.
- (2) Persons whom a vendor knows, or has reason to believe, to be Camp followers, i.e., all classes of followers (other than private servants) whether on or off duty, who have a right to be in Cantonments.
- (3) Policemen, Excise officers and Railway servants, when on duty.
- (4) European vagrants under escort of the police.
- (5) Insane persons.
- (6) Persons known or believed to be intoxicated.
- (7) Children under fourteen years of age.

The restrictions contained in (1) and (2) above do not apply to native soldiers, their families and followers when they are absent on leave from their regiments.

vii. Subject to the provisions of Rule 6 (ii) *supra* shops shall be kept open unless a temporary or permanent closure is authorised by the Collector. The licensee shall maintain a sufficient supply of  $\frac{\text{liquor}}{\text{intoxicating drugs}}$  in his shop which shall never be less than  $\frac{\text{two imperial gallons}}{\text{two weeks except in the case of cocaine}}$ .

viii. The holder of a license for the retail vend of  $\frac{\text{liquor}}{\text{intoxicating drugs}}$  for consumption on the premises shall not allow any quantity of  $\frac{\text{liquor}}{\text{intoxicating drugs}}$  exceeding the quantity which the Resident may from time to time prescribe, to be conveyed from the premises, except on special passes which may be obtained, for special reasons only, from the Collector or the Superintendent of Excise.

The maximum quantity of  $\frac{\text{liquor}}{\text{intoxicating drugs}}$  at present allowed to be conveyed out of the premises is in the case of—

- |                        |   |   |
|------------------------|---|---|
| (a) Foreign liquor     | . . .   | 1. Spirit—4 drams.<br>2. Fermented liquor—16 drams. |
| (b) Country liquor     | . . .   | 1. Arrack—8 drams.<br>2. Tari or toddy—2½ drams.    |
| (c) Intoxicating drugs | —5 tolas of ganja, charas or preparations thereof; 1 seer of bang or preparation thereof. |   |

ix. The licensee shall not receive any grain, jewels, goods, wearing apparel or other article, in barter or pawn for liquor, nor, save in the case of liquor sold under a hotel license, shall any credit be given. Payment for liquor shall be made in ready money only, at the time of sale.

x. The licensee shall use only such weights and measures as shall be approved of by the Collector, and, if so required by the Collector, shall have the same stamped at his own cost.

xi. It shall be within the power of the Resident to prescribe minimum rates\* for the sale of <sup>liquor</sup><sub>intoxicating drugs</sub>, and when such rates have been prescribed they shall be binding upon the licensee.

7. All licenses granted under these rules for the vend of foreign spirits and foreign fermented liquor shall be subject to the following conditions :—

i. Every receptacle containing spirits manufactured and flavoured, coloured or compounded in India and received into or kept for sale at the licensee's shop shall be conspicuously labelled or branded with the words "spirits manufactured in India." All foreign liquor imported in bulk, and bottled in India, received into or kept for sale, shall bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license, and the place of bottling.

ii. The licensee shall not rectify, colour, dilute or adulterate, spirits in any manner whatever.

iii. The licensee shall purchase liquor only from a licensed vendor or manufacturer of foreign liquor. He shall not remove the labels from the receptacles in which the liquor was received.

iv. The licensee shall not keep or sell any particular brand of foreign liquor declared to be unwholesome, impure or otherwise undesirable.

8. Cocaine confiscated under the Exise Act and the rules made thereunder shall be disposed of in accordance with such instructions as may from time to time be issued by the Resident.

\* The minimum rates at present are—

Arrack	2 annas per Mysore dram for 20° U. P.
	1 anna 10 pies per Mysore dram for 35° U. P.
Toddy	1 anna per seer
Ganja	2 annas per tola.
Preparations of ganja	4 pies per tola.

## FORM 1.—ARRACK SHOP LICENSE.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell arrack by retail in the shop specified in the accompanying schedule from the 1st day of 19\_\_\_\_, to the 30th day of 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said

:—

1. The privilege conferred extends only to the sale by retail of arrack of such strength or strengths as may be fixed by the Resident.

2. The licensee shall purchase spirits only from the Government Excise Warehouse in the Civil and Military Station at such rates as may from time to time be fixed, exclusive of the Government duty, which together with the cost price shall be paid into the Resident's Treasury or to any officer duly authorized by the Resident to receive such payments. Applications for issue of liquor shall in every case be supported by receipts showing that the duty and cost price as above have been paid and shall be landed over to the Excise Officer in charge of the warehouse.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
in the year 19\_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification

No. , dated the , rules 5 and 6 of which are reproduced below :—

[ Here enter rules 5 and 6 ]

FORM 2.—TODDY SHOP LICENSE.

I, , Collector, Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell toddy. by retail in the premises specified in the accompanying schedule, from the 1st day of 19 , to the 30th day of 19, subject to the following conditions and stipulations to be observed by you the said

:-

1. The privilege conferred by this license extends only to the sale of toddy from date, cocoanut, sago and dadasal palm trees in the territories of the Mysore State which, subject to the tree-tax rules in force in that State, may be obtained in the groves assigned to the toddy shops as specified in the schedule annexed or, if permitted by the Mysore Darbar, from the trees in private lands, under private arrangement between you and the owners of such lands.

2. The licensee shall not keep in the shop nor sell toddy unfit for consumption. Such toddy shall be removed for vinegar under a permit which may be granted by the Superintendent of Excise, or be destroyed in the presence of an Excise Officer. It shall rest with the Superintendent of Excise to decide as to whether the toddy is fit for consumption as toddy or not.

3 The licensee shall not transport any toddy from the frontier line of the Civil and Military Station to the shops without a permit. General permit for such transport will on application be granted by the Superintendent of Excise.

*List of palm groves assigned to shops in the Civil and Military Station.*

Name of taluk to which trees have been re-assigned.	Name of village where the trees are situated.	Survey No.	Approximate number of trees.	REMARKS.

## Schedule showing boundaries of shop.

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS
	North by—	East by—	South by—	West by—	

Given under my hand and seal this  
in the year 19      at Bangalore.

day of

Collector, Civil and Military Station,  
Bangalore.

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No.      , rules 5 and 6 of which are reproduced below :—

[Here enter rules 5 and 6.]

## FORM 3.—GANJA SHOP LICENSE

I,      , Collector of the Civil and Military Station of Bangalore, under the provisions of Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you  
to sell intoxicating drugs by retail in the premises specified in the accompanying schedule, from the 1st day of      19      , to the 31st day of      19      , subject to the following conditions and stipulations to be observed by you the said      :—

1. The privilege conferred extends to the retail sale of ganja, charas or preparation thereof of any quantity not exceeding 5 tolas and to the retail sale of bhang or preparation thereof, of any quantity not exceeding 1 seer.

2. The licensee shall purchase ganja, or any preparation or admixture hereof, only from the Government Warehouse within the Civil and Military

Station at such rates as may be fixed from time to time, exclusive of the Government duty of Rs. 7-8-0 per seer of 80 tolas, unless specially permitted or directed to take over the stock of a retail vendor whose license has expired.

3. The licensee shall not keep in his shop, offer for sale, or sell any ganja, charas, bhang, etc., except that obtained from the Government Warehouse within the Civil and Military Station or from a licensed vendor under the conditions of clause 2.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner,	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this                      day of  
in the year 19    at Bangalore,

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No.                      , dated the                      , rules 5 and 6 of which are reproduced below :—

[Here enter rules 5 and 6.]

## FORM 4.—BEER TAVERN LICENSE.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell native beer and porter by retail in the premises specified in the accompanying schedule, from the 1st day of 19 , to the 31st day of 19 , subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_:—

1. The privilege conferred by this license extends only to the sale by retail of native beer and porter manufactured by the licensed brewers in the Civil and Military Station of Bangalore and the Nilgiris or elsewhere in British India. The beer manufactured in the Civil and Military Station shall be obtainable on payment of a price not exceeding Rs. 30 per hogshead, exclusive of duty.

2. The beer and porter sold or kept in the shop shall be of the same quality as supplied by the brewer, from whom it is obtained, without dilution or adulteration of any kind.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
in the year 19 \_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_, rules 5 and 6 of which are reproduced below:—

[Here enter rules 5 and 6.]

## FORM 5.—FOREIGN LIQUOR TAVERN LICENSE.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you \_\_\_\_\_ to keep a foreign liquor tavern in the premises specified in the accompanying schedule, from the 1st day of \_\_\_\_\_ 19\_\_\_\_, to the 31st day of \_\_\_\_\_ 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_

The privilege conferred by this license extends only to the sale of foreign liquor to be consumed on the premises of strengths not below 25° U. P. for whisky, brandy and rum and 35° U. P. for gin.

*Exception.*—Liquors, whiskies and brandies selling at not less than Rs. 2½ per gallon may be permitted by the Collector to be sold at strengths lower than 25° U.P.

1. The licensee shall not keep or sell plain rectified spirits.

## Schedule showing boundaries of shop.

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	
1					

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_ at Bangalore.

Collector, Civil and Military Station,  
Bangalore.

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No \_\_\_\_\_ dated the \_\_\_\_\_, rules 5, 6 and 7 of which are reproduced below :—

[Here enter rules 5, 6 and 7.]



## FORM 6.—WHOLESALE FOREIGN LIQUOR LICENSE.

Fee Rs. 100.

I, \_\_\_\_\_, Collector of the Civil and Military Station of Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you \_\_\_\_\_ to sell foreign liquor in the premises specified in the accompanying schedule from the 1st day of \_\_\_\_\_ 19\_\_\_\_, to the 31st day of \_\_\_\_\_ 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_

1. The privilege extends to the sale of foreign liquor, not to be consumed on the premises, of strengths not below 25° U. P. for whisky,\*brandy and rum, and 35° U. P. for gin in quantities not less than one imperial gallon or six reputed quart bottles or one dozen reputed pint bottles in one transaction.

*Exception.*—Liqueurs, whiskies and brandies selling at not less than Rs. 24 per gallon may be permitted by the Collector to be sold at strengths lower than 25° U. P.

The holders of this license will have the privilege of issuing to licensed holders only samples of liquor in quantities not exceeding one pint.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_, rules 6 and 7 of which are reproduced below :—

[Here enter rules 6 and 7.]

## FORM 7.—RETAIL FOREIGN LIQUOR LICENSE.

Fee Rs. 200

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell foreign liquor by retail in the premises specified in the accompanying schedule, from the 1st day of 19\_\_\_\_, to the 21st day of 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_:—

1. The privilege conferred by this license extends only to the retail sale of bottled foreign liquor, corked and capsuled, not to be consumed on the premises, of strengths not below 25° U. P. for whisky, brandy and rum, and 35° U. P. for gin, in quantities not less than one reputed pint and not greater than one imperial gallon or six reputed quarts or 12 reputed pints in one transaction.

*Exception.*—Liqueurs, whiskies and brandies selling at not less than Rs. 21 per gallon may be permitted by the Collector to be sold at strengths lower than 25° U. P.

2. All liquor kept or sold in the shop shall be contained in receptacles sealed or capsuled.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
in the year 19\_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_, rules 5 and 7 of which are reproduced below:—

[Here enter rules 5 and 7]

## FORM 8.—HOTEL LICENSE.

Fee Rs. 50.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell foreign liquor at your <sup>Hotel</sup> ~~Boarding House~~ specified in the accompanying schedule from the 1st day of 19\_\_\_\_, to the 31st day of 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_:—

1. That no spirituous liquors shall be sold of strengths below 25° U. P. in the case of whisky, brandy and rum, and 35° U. P. in the case of gin.

*Exception.*—Liqueurs, whiskies and brandies selling at not less than Rs. 24 per gallon may be permitted by the Collector to be sold at strengths lower than 25° U. P.

2. That you shall not sell any liquor before sunrise or after 10 P.M.

3. That you shall sell liquor under this license only to residents in your <sup>Hotel</sup> ~~Boarding House~~ for their own use and that of their guests, and to casual visitors requiring liquor with the meal or meals supplied to them.

4. That you shall not sell liquor for removal from the premises except under and in accordance with the terms of a separate wholesale or retail license taken out by you.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_, rules 5 and 7 of which are reproduced below:—

[ Here enter rules 5 and 7.]

## FORM 9.—REFRESHMENT ROOM LICENSE.

Fee Rs. 50,

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you

to sell foreign liquor at the Railway Refreshment Room specified in the accompanying schedule from the 1st day of 19\_\_\_\_, to the 31st day of 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said \_\_\_\_\_:—

1. The privilege conferred by this license extends only to the sale of foreign liquor to passengers and persons served with eatables in the rooms for consumption on the premises, provided that no more than one reputed quart of spirits or two reputed quarts of any other kind of liquor sold at the refreshment room shall be sold at one time to any such passenger or person for removal from the premises.

*Schedule showing boundaries of rooms.*

Name of Railway Station.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_ at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_, rules 5, 6 and 7 of which are reproduced below:—

[ Here enter rules 5, 6 and 7.]

2. The licensee shall not add any substance whatever to the bulk liquor to be bottled either before, during or after bottling, provided that water may be added for reducing spirit to standard strength.

3. The licensee shall, as soon as practicable after bottling, label and cork and seal or capsule the filled bottles. The label shall be a printed one and shall show clearly the country of manufacture of the liquor bottled, the name of the bottler as entered in the license, and the place of bottling.

4. The licensee shall, at least 24 hours before he bottles, give to the Superintendent of Excise a notice in writing of the time at which he intends to bottle and shall allow any Excise officer not below the rank of Sub-Inspector to be present during the process of bottling.

5. The room used for bottling shall be separate from the store room and the sale room and no bottled liquor shall be removed therefrom till dealt with under condition 3 *supra*.

6. This license being issued only in conjunction with the "Foreign Liquor Shop License," the licensee shall be bound by all the conditions and stipulations therein contained.

*Schedule showing boundaries.*

Street and door number and name of house owner.	BOUNDED ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this  
in the year 19 , at Bangalore.

day of

*Collector, Civil and Military Station,  
Bangalore.*

FORM 14.—LICENSE TO CHEMISTS AND DRUGGISTS AND MEDICAL PRACTITIONERS  
FOR THE SALE OF COCAINE.

Fee Rs. 6.

Number of license.

Name of the licensee.

Locality of the premises.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you to possess and sell cocaine, from the date of this license to the 31st day of \_\_\_\_\_ 19\_\_\_\_, subject to the following conditions :—

*Note.*—Cocaine shall mean and include (i) coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine and (ii) every preparation or admixture of any of the above.

*Conditions.*

I. The licensee shall be bound by the provisions of the said Excise Act 1896, and any general or special rules prescribed or which may from time to time be prescribed thereunder.

II. The licensee shall be bound by the general conditions applicable to all Excise licenses as notified by the Resident in Mysore, from time to time, so far as they concern him and by the following conditions which are special to this license.

III. The licensee shall obtain cocaine either by direct importation from a foreign country or from another licensed vendor in India on permits obtained from or through the Superintendent of Excise and shall not receive or have in his possession any of these drugs obtained otherwise. The importation of cocaine by means of the post is prohibited.

IV. The licensee shall not keep or sell cocaine at any other place than the premises the boundaries of which are specified in the schedule annexed to this license.

V. Except to a person licensed to sell or to possess or to a person authorised by the Resident to export them, the licensee shall sell cocaine only on the prescriptions of medical practitioners as defined below.

*N.B.*—The term “qualified medical practitioner” means a graduate in medicine of a recognized University in India, Europe or America, a medical practitioner eligible for registration in the Medical Register of Great Britain, a medical subordinate in Government employment, including a Sub-Assistant Surgeon, a duly qualified dentist entitled to be entered in the Dentists’ section of the Medical Register of Great Britain and any Medical



FORM 15.—LICENSE TO MEDICAL PRACTITIONERS FOR THE POSSESSION OF  
COCAINE FOR USE IN THE EXERCISE OF THEIR PROFESSION.

Fee Rs. 8.

Number of license.

Name of the licensee.

Address of licensee.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you to possess cocaine for use in the exercise of your profession but not for sale from the date of this license to the 31st day of \_\_\_\_\_ 19\_\_\_\_ subject to the following conditions :—

*Note.*—'Cocaine' shall mean and include (i) coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine and (ii) every preparation or admixture of any of the above.

*Conditions.*

I. The licensee shall be bound by the provisions of the said Excise Act, 1896, and any general or special rules prescribed or which may from time to time be prescribed thereunder.

II. The licensee shall be bound by the general conditions applicable to all licenses as notified by the Resident in Mysore from time to time, so far as they concern him and by the following conditions which are special to this license.

III. The licensee shall obtain cocaine from a licensed vendor in India and shall not receive or have in his possession any stock obtained otherwise.

IV. The licensee shall have in his possession at one time no greater quantity than half an ounce of cocaine.

V. The licensee shall, on requisition by the Collector or by any officer duly authorised by the Collector, deliver up his license, for amendment or for the issue of a fresh license, or for cancellation.

Dated the

day of

19 \_\_\_\_

*Collector.*



**FORM 16.—LICENSE FOR THE SALE OF MEDICATED WINES AND SIMILAR PREPARATIONS.**

Fee Rs. 10.

I, \_\_\_\_\_, Collector of the Civil and Military Station of Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you to sell foreign liquor in the premises specified in the accompanying schedule from the 1st day of \_\_\_\_\_ 19\_\_\_\_, to the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, subject to the following conditions and stipulations to be observed by you the said

1. The privilege extends only to the sale as tonic or medicine of medicated wines and similar preparations containing 20 per cent. and upwards but not more than 42 per cent. of proof spirit.

2. The licensee shall, when called on to do so by officers authorised to inspect shops, furnish proof that the preparations kept for sale do not contain more than 42 per cent. of proof spirit. The proof shall be either (1) a certificate of the Collector of Sea Customs at the port of import or (2) a certificate of purchase from the importer together with a copy of the certificate of the Collector of Sea Customs or (3) a certificate of the Chemical Examiner.

3. Samples of medicated wines or similar preparations manufactured locally shall be submitted by the maker to the Chemical Examiner through the Collector for determination of the percentage of proof spirit in them.

*Schedule showing boundaries of shop.*

Street and door number and name of house owner.	BOUNDRIES ON THE				REMARKS.
	North by—	East by—	South by—	West by—	

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19\_\_\_\_, at Bangalore.

*Collector, Civil and Military Station,  
Bangalore.*

This license is issued subject to the provisions of the Excise Laws for the time being in force in the Civil and Military Station of Bangalore. Special attention is invited to the rules contained in the Resident's notification No. \_\_\_\_\_, dated the \_\_\_\_\_ 1908, rule 5 of which is reproduced below:—

[Here enter rule 5].

10. The premises for which this license is granted shall be open to inspection by any officer of the Excise Department not below the rank of Sub-Inspector ; [that]\* the licensee shall at once produce for inspection on demand of any such officer this license and his accounts ; [that]\* the licensee shall furnish the Superintendent of Excise with such returns and information as may be required by him ; and the licensee shall not prevent any Excise Officer of whatever grade from inspecting his canteen.

11. In case of breach of any of the conditions of this license, the Collector shall be competent to impose a fine not exceeding Rs. 20 for every breach of such conditions or to cancel the license.

12. The imposition of a fine or cancellation of this license under the foregoing condition shall not be held to prevent the holder of the license from being prosecuted under the Excise Act.

13. The license shall also be revocable by the Collector for any other cause after fifteen days' notice of such revocation.

Dated the

19 .

*Collector.*

*Places for storing.*

The holder of this license is authorised to store foreign spirituous and fermented liquors to be sold under this license at

in the

from

to the

19

\* Dated the

19

*Collector.*

**COUNTERFOIL.**

*License for Contractors under the Canteen Tenant System.*

Articles of vend Foreign spirituous and fermented liquors

Number of license in register.

Name of contractor.

Name of regiment or unit.

Place of vend.

Current from

Annual fee payable in advance.

Date.

Place of storage if any sanctioned.

*Signature of Contractor.*

*Collector.*

and to persons duly authorised under the Regulations of the Army to use such canteen, to be consumed on the premises and to the sale of any quantity up to two imperial gallons to any such person in one transaction for removal from the premises.

2. The licensee shall effect his sales of liquors only at the canteen or place appointed for the purpose by the military authorities and [that]\* he shall not sell liquors at any other place or establish a second place of vend without another separate license.

*N.B.*—Tenants are allowed to establish a second place of vend without taking a separate license in cases where a portion of a regiment is detached for training and other purposes or is left behind.

3. The licensee is prohibited from storing, keeping or selling any foreign spirituous or fermented liquors under cover of this license in any premises other than those endorsed on the back of the license.

4. The licensee is prohibited from rectifying spirits by purifying, colouring or flavouring or mixing any material therewith.

5. Every receptacle containing spirits flavoured, coloured or compounded in India and received or kept for sale must be conspicuously labelled or branded with the words "spirits compounded in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore." All liquor imported in bulk and bottled, received or kept for sale, must bear a printed label showing clearly the country of manufacture, the name of bottler as entered in his license and the place of bottling.

6. The licensee shall not adulterate or deteriorate any foreign spirituous or fermented liquors sold by him, or sell the same knowing them to have been adulterated or deteriorated, or store or permit to be stored in his canteen any such liquor in an adulterated or deteriorated state.

7. The licensee is prohibited from transferring his license to any other person without the previous sanction of the Collector.

8. The licensee shall sell no imported and locally-made foreign spirits below the minimum strengths of 25° U. P. for whisky, brandy and rum and 35° U. P. for gin.

*Exception.*—Liqueurs, whiskies and brandies selling at not less than Rs 2½ per gallon may be permitted by the Collector to be sold at strengths lower than 25° U. P.

9. The licensee shall not receive any wearing apparel or other effects in barter for any excisable article the sale of which is covered by this license.

10. The premises for which this license is granted shall be open to inspection by any officer of the Excise Department not below the rank of Sub-Inspector; [that]\* the licensee shall at once produce for inspection on demand of any such officer this license and his accounts; [that]\* the licensee shall furnish the Superintendent of Excise with such returns and information as may be required by him; and the licensee shall not prevent any Excise Officer of whatever grade from inspecting his canteen.

11. In case of breach of any of the conditions of this license, the Collector shall be competent to impose a fine not exceeding Rs 20 for every breach of such conditions or to cancel the license.

12. The imposition of a fine or cancellation of this license under the foregoing condition shall not be held to prevent the holder of the license from being prosecuted under the Excise Act.

13. The license shall also be revocable by the Collector for any other cause after fifteen days' notice of such revocation.

Dated the

19 .

*Collector.*

*Places for storing.*

The holder of this license is authorised to store foreign spirituous and fermented liquors to be sold under this license at

in the  
to the

from  
19  
19

\* Dated the

*Collector.*

**COUNTERFOIL.**

*License for Contractors under the Canteen Tenant System.*

Articles of vend                      Foreign spirituous and fermented liquors

Number of license in register.

Name of contractor.

Name of regiment or unit.

Place of vend.

Current from

Annual fee payable in advance.

Date.

Place of storage if any sanctioned.

*Signature of Contractor.*

*Collector.*

<sup>1</sup> BAKERY TODDY LICENSE.

License for the possession of toddy by persons using it in the manufacture of bread.

I, \_\_\_\_\_, Collector of the Civil and Military Station, Bangalore, hereby license you \_\_\_\_\_, residing at \_\_\_\_\_ to possess fresh fermented toddy in quantities not exceeding \_\_\_\_\_ gallons at a time purchased from toddy shop No. \_\_\_\_\_ for use in the manufacture of bread in premises No. \_\_\_\_\_, from the 1st day of \_\_\_\_\_ 191 to the \_\_\_\_\_ day of \_\_\_\_\_ 191, subject to the following conditions and stipulations to be observed by you, the said.

*Conditions.*

(1) This license extends only to the possession for use in the manufacture of bread of fresh fermented toddy in quantities not exceeding \_\_\_\_\_ gallons at a time obtained by you from the shop aforesaid.

(2) The toddy obtained by you under this license shall not be sold or utilised otherwise than in the manufacture of bread, nor shall it be transferred to any other haker.

(3) As only fresh fermented toddy is suitable for the manufacture of bread, no stale toddy can be retained in the premises used for the manufacture of bread, under this license.

Any toddy which you may not use in the manufacture of bread must be destroyed before it becomes stale.

(4) The general transport permit granted to you along with this license shall be carried with every consignment of toddy obtained and transported by you from the licensed shop specified above.

(5) The premises used for the manufacture of bread shall be open to inspection by any Excise Officer not below the rank of Sub-Inspector and you shall be bound to furnish the Superintendent of Excise with such information regarding the quantity of toddy used in such manufacture as may be required by him.

(6) You shall also, if the Collector shall so order, maintain correct accounts showing day by day the quantity of toddy received by you, the quantity used in the manufacture of bread, the quantity of flour operated

Note.—This license is annual and a fresh one should be issued if the source of supply is altered.

<sup>1</sup> Inserted by rectification No. 2, dated the 31st January 1913. *Gazette of India*, 1913, Pt II, p 252.

upon, the quantity of bread outturned and the quantity of toddy remaining unspent at the end of each day, or such other particulars as the Collector may from time to time prescribe.

(7) You shall, at your cost, maintain intact an inspection note book with pages numbered consecutively, so that officers who may inspect the hakory may enter their remarks therein. The note book shall be handed over to the Superintendent of Excise or any officer authorised by him to receive it at any time, at such officer's request on receipt being given therefor.

(8) Any contravention of the above conditions will render you liable to a penalty, not exceeding Rs. 20 or forfeiture of this license at the discretion of the Collector.

(9) The imposition of a fine or the cancellation of the license under the last preceding clause shall not be held to prevent your being prosecuted for any offence which may have been committed against provisions of the Excise Act, XII of 1896, or other law for the time being in force in this Station and relating to the Excise Revenue.

(10) This license may be revoked by the Collector without assigning any cause whatever on giving 15 days' notice of such revocation.

Dated the                      day of                      191 .

Collector.

[ *Gazette of India*, 1912, Pt. II, p. 1079. ]

No. 47, dated the 12th June 1909.—Under the provisions of section 66 of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, the Resident is pleased to exempt, from the payment of duty, rectified spirit imported into the said Civil and Military Station for the Indian Institute of Science for purposes of Scientific Research.

Exemption from duty of rectified spirit imported by the Indian Institute of Science.

[ *Gazette of India*, 1909, Pt. II, p. 1001. ]

No. 43, dated the 15th August 1911.—Under the provisions of section 66 of the Excise Act, 1896 (XII of 1896), as applied to the Civil and Military Station of Bangalore, the Resident is pleased to exempt, from the payment of duty, 10 gallons of [rectified spirit] to be imported into the said Civil and Military Station annually by the Planting Expert, United Planters' Association of Southern India, for purposes of scientific investigation at his laboratory in the Station.

Exemption from duty of 10 gallons of absolute alcohol imported annually by the United Planters' Association.

[ *Gazette of India*, 1911, Pt. II, p. 1275. ]

<sup>1</sup> Substituted by notification No. 54, dated the 19th September 1911. *Gazette of India*, 1911, Pt. II, p. 1512.

*No. 5041-I.C., dated the 20th December 1906.*—Printed in Appendix XVI.

*No. 829-P., dated the 24th July 1906.*—In exercise of the powers conferred under section 2, sub-section (1) of the Epidemic Diseases Act, III of 1897 as applied to the Civil and Military Station of Bangalore, and delegated to him by sub-section (3) of the same section by the notification of the Government of India, No. 567-I.A., dated 12th February 1897, the Resident in Mysore is pleased to prescribe, under the said Epidemic Diseases Act, and in supersession of all Regulations previously issued on the subject the following Regulations to be observed in the Civil and Military Station of Bangalore.

#### PART I.—GENERAL ORGANIZATION.

1. The general control of the arrangements for the prevention and suppression of plague in the Civil and Military Station is in the hands of the Resident in Mysore, who may delegate such of the powers conferred by these Regulations as he may think fit to the President, Municipal Commission, or to any other officer. The Resident may appoint an officer to supervise the accounts, and other clerical work, connected with plague expenditure.

2. The Residency Surgeon is responsible for the supervision of the work of the District Medical Officers, of the Inspecting Medical Officers, and of the Hospital and Isolation Camp staff, and also for the working of the Health Department of the Municipal Commission, subject to the orders of the Resident.

3. The duties of the District Medical Officers are to visit cases of sickness and death, to examine arrivals, to supervise the work of supervisors in their districts, to superintend the disinfection of the houses of sick or suspected persons: also should no Special Plague Officer be appointed for the purpose, to bring to the notice of the Health Officer of the Municipal Commission any defects in the sanitation, or in the registration of vital statistics in their districts, and generally to carry out such duties as may be prescribed for them by the Residency Surgeon. They will also transmit daily to the Health Officer a nominal roll of all deaths reported in their respective districts. These nominal rolls should give the name, address and diseases, if ascertained, of the deceased, with information as to how the cause of death has been ascertained.

<sup>1</sup> Superseded by notification No. 5041-I. C., dated the 20th December 1906, *supra*.

4. The District Superintendent of Police will supervise the police arrangements connected with the observation and examination of travellers, the guarding of camps and the watching of cemeteries, and is held responsible that his Police co-operate actively in the carrying out of all measures for the prevention and suppression of plague.

5. A Chief Plague Officer, and Special Plague Officers, may be appointed by the Resident for the carrying out of arrangements for the disinfection and evacuation of infected places, for the organization and management of the labour employed on plague operations, and for such other duties as may be assigned to them by the Resident.

6. Supervisors may be appointed for the purpose of keeping correct registers of the inmates of each house, and of the movements of the population. They shall report all cases of sickness and death to the District Medical Officers. They should explain to the people in their circles the necessity of registering their relatives' deaths and should urge them to produce reliable evidence of the cause of their friends' or relatives' deaths and advise them, in the absence of other skilled opinion, to avail themselves of the District Medical Officer's services.

## PART II.—MEASURES AGAINST THE IMPORTATION OF PLAGUE.

### (a) *Arrivals by rail.*

7. Medical or other officers, appointed as Inspecting officers by the Resident, shall have power to examine all persons arriving by the rail at the Bangalore City and Cantonment Railway Stations, and all such persons shall proceed to the spot indicated by the Inspecting Officer for his medical inspection, and shall not depart from there without the sanction of the Inspecting Officer.

8. The examination of females shall be effected by a female medical subordinate, and every precaution shall be taken to respect the privacy of females who do not appear in public.

9. In the case of persons arriving at the Bangalore City and Cantonment Railway Stations, who intend to reside within the limits of the Civil and Military Station, the Medical or other officer, appointed by the Resident in this behalf, may demand of the person so arriving, his name, usual abode, and particulars of the places in which he has resided or which he has visited during the previous fifteen days, and also the address to which he is about to proceed, and any other particulars which the Medical or other officer may think fit to ask in view of satisfying himself as to the likelihood of the said person's spreading the infection of plague. A person so interrogated



shall be bound to answer truly, to the best of his knowledge and belief, all such questions and enquiries.

10. The Medical or other officer, appointed by the Resident under Regulation 7, may serve such person with a notice requiring him to report himself at the office of the District Medical Officer within whose district he is about to reside, within 24 hours, and to attend as subsequently directed by the District Medical Officer. If any such person cannot, in the opinion of such Medical or other officer appointed under Regulation 7, be relied on to report himself as directed, he may be sent by the Medical or other officer to the office of the Medical Officer within whose district he is about to reside, under escort of a police constable, and may be required to remain under such escort until his intended place of residence shall have been satisfactorily ascertained.

Provided that no person holding a certificate of inoculation, dated within six months previously, shall be required, unless he is unable to clearly indicate his intended place of residence, to report himself at the office of the District Medical Officer, but notice of his arrival shall be sent by the Medical or other officer at the Railway Station to the Medical Officer of the District in which he is about to reside, and he may be required to be present in his residence on such day, and at such time, as the District Medical Officer may appoint.

11. Persons alighting at the Cantonment Station, who intend to reside within the limits of Bangalore City, may be directed by the Medical or other officer appointed under Regulation 7 to report themselves to the ward-officer of the ward in which they intend to reside, and may, if the Mysore Government so require, be sent to the ward-officer under the escort of the Mysore State Police.

12. Nothing in these Regulations shall require females who do not appear in public to be interrogated by any person other than a female at the Railway Station, or to attend at any office, but they may be examined in their houses by females deputed by the District Medical Officer for the purpose.

13. The President of the Municipal Commission may prohibit the import of used apparel and bedding (except when carried as the personal baggage of travellers), rags, and waste paper, from any infected area into the Civil and Military Station.

*(b) Arrivals by road.*

14. The President of the Municipal Commission may require all persons arriving in the Civil and Military Station by road to report themselves to the Medical Officer of the district in which they intend to reside within twenty-four hours of their arrival. The District Medical Officer may, at his discretion, give a written notice to such persons requiring them to attend at his

office for such number of days not exceeding ten as he thinks fit. A person holding an inoculation certificate, dated within six months previously, will be obliged to report himself to the Medical Officer within twenty-four hours of his arrival, but will not be liable to again attend at the District Medical Office.

15. The District Medical Officer may direct any person whom he suspects of having arrived in the Civil and Military Station, whether by rail or road without having reported himself, to attend at his office for such number of days not exceeding ten as he thinks fit.

16. The President of the Municipal Commission may require every houses holder or head of a family to report to the supervisor of his block the arrival of any person from outside the Civil and Military Station in his house of family, whose arrival he does not know to have been otherwise reported to the District Medical Officer.

*(c) General measures for the prevention of plague, and the treatment of early cases before plague becomes epidemic.*

17. For so long as the Resident may declare this Regulation to be in force, the President of the Municipal Commission may require each householder or head of a family to give immediate information of any sickness occurring within his house or family to the Medical Officer of his district, or to a medical practitioner authorised in this behalf by the Resident.

18. The President of the Municipal Commission may require all medical practitioners, at once, to report to the District Medical Officer of the circle in which the sick person lives, any case of sickness or death in which glandular swellings or other symptoms suggestive of plague are perceived by them.

19. The President of the Municipal Commission may require every householder who becomes cognizant of any case of plague, or of fever with glandular swellings, in his house, or in any other private dwelling within the Civil and Military Station of Bangalore, to give information of the same to the District Medical Officer with the least practicable delay.

20. The owner or occupier of any house shall permit the District Medical Officer, or any Medical Officer duly authorised by the Resident, to enter his premises and examine any person whom the Medical Officer has reason to believe to be ill, or to have recently arrived from an infected area. If the person be a female, the examination shall, if the owner or occupier of the house desires it, be made by a female.

21. If on the examination of any person, the District Medical Officer, or any Medical Officer duly authorized by the Resident, believes or suspects that such person is suffering from pneumonic plague, he may cause such person to

be removed to the hospital provided for the purpose, or may take measures for segregating him in his house, if he can be properly segregated therein : provided that when he considers the death of such person to be imminent he shall not insist on his removal to hospital.

22. When the District Medical Officer or any Medical Officer duly authorized by the Resident, has, under the preceding Regulation, caused a person suffering, or believed to be suffering, from pneumonic plague, to be removed to the hospital, he may also cause the occupants of the house in which such person resides to be removed to a detention camp and detained for ten days : provided that any member of the family who desires to attend on the sick person shall be allowed to do so : and provided also that no person holding a certificate of inoculation, dated within six months previously, shall be removed to the detention camp, except for so long as may be necessary for his disinfection.

23. The owner or occupier of a house shall comply with any order that may be issued by the Resident, or by any officer duly authorised by him in this behalf, with regard to the cleaning and disinfection of his house, the destruction of rats therein, the disinfection of the clothing or personal effects of the inmates, the medical inspection of any person who has, or is believed to have, come from an infected area, the disposal of any corpse, the improvement of the sanitary condition of the premises, or with regard to other similar matters : and the officer in question shall, if he considers it necessary, himself take measures for the disinfection of the house, for the killing of rats or for the carrying out of measures prescribed by this Regulation.

24. When, in the opinion of the District Medical Officer, any building or place is so overcrowded as to render the inmates or occupants thereof specially liable to an attack of plague, or to contribute to the spread of the disease should an outbreak occur, the Resident, or any officer duly authorised by him, may by notice posted on some conspicuous part of the building or place, require the owner or occupier to abate the overcrowding within such period as he shall prescribe, not being less than 48 hours, by reducing the number of lodgers, tenants or inmates of the said building or place : and in default of compliance with the requisition in the said notice may summarily eject all the inmates or occupants, or reduce the number of such inmates and occupants in such manner and to such extent, as may appear necessary : and the owner or the tenants or the inmates of such building or place shall not be entitled to claim any compensation on account of such ejection.

### PART III.—ACTION TO BE TAKEN ON AN OUTBREAK OF PLAGUE.

25. When there is reason to believe that cases of plague are occurring within the Civil and Military Station, the Regulations contained in Part II

shall continue in full force and effect until suspended or modified by the Resident.

26. The powers of removal of persons suffering from pneumonic plagues and of the occupants of the houses in which such persons have been residing, to the hospital and detention camp respectively, vested in Medical Officers by Regulations 21 and 22, shall continue to be exercised by them, unless or until the Resident issues a notification cancelling or modifying these powers.

27. Special Plague Officers appointed for the work of disinfection, or for any other duty assigned to them by the Resident, shall have the right to enter the premises of any place or building in the execution of their duties.

28. There shall be provided, in such localities as are suitable for the purpose, places for the treatment of persons suffering or suspected to be suffering from plague, or for the housing of persons who have been in contact with plague cases, or for the accommodation of persons who have been obliged to evacuate infected quarters.

29. Any house, building or land, which the Resident considers to be suitable and required for the purpose of a hospital, or for the housing of persons who have been in contact with plague, or for the erection of camps for the accommodation of persons who have left their dwellings, may be entered upon and occupied by the Resident or by any officer authorised by him, if untenanted, without any notice whatever, and if tenanted, after twenty-four hours' notice in writing has been conspicuously posted on such house, building, or land, and may be used for any of the above purposes. The owner or lessee of such house, building or land shall not be entitled to claim anything beyond a reasonable rent for the period during which such house, building or land may remain in such occupation, provided that the Resident shall be bound at the cost of Plague Funds to clean and disinfect the said house, building or land : and, if a house or building, to limewash it both internally and externally before vacating it.

30. The Resident may grant permission to any person or to the members of a particular caste, to erect or provide family or caste hospitals and camps.

31. Such hospitals and camps shall be under the management of the person or caste providing them, subject to medical inspection by the Residency Surgeon, and provided that suitable arrangements are made for guarding them. The Resident may at any time for any sufficient reason close any family or caste hospital or camp.

32. The cost of any such hospital or camp shall be met by the persons on whose application they were sanctioned : but the Resident may make a grant

in aid of the expenses of any such hospital or camp, when he considers this to be advisable.

33. In all hospitals the relatives, friends, *hakims*, *baid*s and priests of the patients shall be allowed free access to them, subject to any precaution which the Residency Surgeon may, by notice posted at the entrance, declare to be necessary : and if the relatives of the sick person so desire, he may be medically treated by a *hakim* or *baid*.

34. Any friend, relative or attendant who desires to tend a sick person shall be allowed to do so, but the Residency Surgeon may limit the number of such attendants in any hospital.

35. No patient in any hospital shall be compelled to take any English medicine, should he object to do so.

36. In all hospitals separate and suitable accommodation shall be provided for females, and they shall, so far as may be possible, be treated by female agency.

37. In any house in which a case of plague has occurred, the Resident or any officer authorised by him, shall take measures for the disinfection and cleansing of the house, bedding, clothing and articles of a similar nature, the improvement, if necessary, of the sanitary condition of the premises, the provision of light or ventilation, and other sanitary precautions. The Resident, or any officer authorised by him, may further order the destruction of any building or of any bedding, clothing, or other articles, if disinfection cannot be satisfactorily effected otherwise.

38. The owner or occupier of any house in which a case of plague has occurred, shall permit the Resident or any officer authorised by him to enter his house or premises for the purpose of carrying out the provisions of the preceding Regulation.

39. When, in the opinion of the Resident or of the District Medical Officer of the Division, it appears necessary to disinfect any house, or street, or block of houses, on account of the vicinity of houses that have been infected by plague, or on account of the insanitary nature of the surroundings, such house or street or block of houses may be at once cleaned and disinfected under the supervision of the officer in charge of the disinfection work in the Division. When the disinfecting party is ready to clean any house, the inmates may be at once required to temporarily vacate the premises, while the cleaning and disinfection is being carried out. On the completion of the cleaning and disinfection, the inmates shall immediately be allowed to re-occupy the premises, unless they be declared by the District Medical Officer to be unfit for human habitation, provided that any person who desires to disinfect his

own house, a case of plague not having occurred therein, may be allowed to do so to the satisfaction of the officer in charge of the work of disinfection in the Division.

40. Whenever any building or portion of a building is found to be fastened or locked up, and the owner or occupier is not present, any officer authorised by the Resident may affix a written notice on the door, stating that such building or part of a building will be opened, and disinfection will be carried out after such time, not being less than twenty-four hours as may be prescribed in the notice. At or after the expiration of the time prescribed, the officer authorised by the Resident may break open and enter any such building or portion of a building, and may carry out the measures prescribed in Regulation 37 above.

41. Whenever any building is cleaned and disinfected, the officer in charge of the disinfection shall draw up a statement showing the description and estimated value of the articles in the building destroyed or damaged in the process of disinfection, the number of men employed on the work of disinfection, the time occupied, and the estimated value of the disinfectants used. A copy of the statement shall be given to the owner or occupier of the building, if he so requests. The whole or any part of the expenses of disinfection as shown in the said statement may subsequently be recovered from the owner or occupier and may be credited to Plague Funds.

42. Whenever a building is entered and disinfected, the owner or occupier of a house, or any relative of his, or any person authorised by him, shall be permitted to be present.

43. After a building or portion of a building has been disinfected the door may be locked and sealed, and the officer in charge of the work of disinfection may retain the key until re-occupation of the building or portion of a building is permitted.

44. If, in the opinion of the District Medical Officer, the destruction of any hut or shed is necessary to prevent the spread of the plague, any officer authorised by the Resident may summarily take measures for the destruction of such hut or shed, and the materials of which it is constructed. A record of the action taken under this Regulation shall be maintained.

45. Whenever any house is vacated under these Regulations, the owner or occupier may remove any valuable property, subject to its disinfection if necessary, or may place it in a place to be provided in each Division for the safe custody of such property. The Resident will not be responsible for the safety of any property left in a vacated house.

46. No house that has remained unoccupied since the commencement of plague, or that has been vacated or deserted by its inhabitants, shall be re-occupied except with the permission of the District Medical Officer, who may require it, before he permits occupation, to be cleaned, and, if he considers it unfit for human habitation, to be structurally altered, so as to allow the admission of air, and to improve the ventilation.

47. The President of the Municipal Commission may prohibit persons living in an infected quarter of the Civil and Military Station from going to reside in, or removing property to, another quarter of the Civil and Military Station.

48. The President of the Municipal Commission may issue orders prescribing the route which shall be taken by a funeral procession from the place of death to the graveyard, or burning ground, and the places, if any, at which such procession may halt for funeral prayers, ceremonies, or any other purpose. He may prohibit burials except at certain places, and at a certain depth.

49. The President of the Municipal Commission may also prohibit the burial or burning of the corpses of persons reasonably supposed to have died of plague in or upon ground other than ground specially assigned by him for such purpose.

50. The Resident will provide suitable conveyances for the transport to Hospital of persons suffering or suspected to be suffering from pneumonic plague, and it shall be lawful to drive or carry such conveyances through any public or private thoroughfare.

51. The President of the Municipal Commission may require that any conveyance, public or private, that has been used by any person infected with, or suspected of being infected with, plague shall be thoroughly disinfected and exposed to air and sunlight for not less than 24 hours before being again used.

52. In any part of the Civil and Military Station in which cases of plague have occurred, all grain godowns or places where grain is stored should, so far as may be possible, be rendered rat proof, and may be entered and examined at all times by the District Medical Officer, or by an officer authorised in this behalf by the Resident.

53. When a grain godown is found to be improperly ventilated, or to be in such an insanitary condition from damp, or otherwise, as to be unwholesome for the storage of grain, the owner of the grain may be required to remove the grain to a properly constructed godown. All godowns in which dead rats have been found shall be declared unwholesome and unfit for use until thoroughly disinfected. The grain found in such places may be

turned over and aired, or destroyed as unfit for food, and any bags or sacks in which infected grain is found stored may be disinfected or destroyed.

54. The Resident, or any officer authorised by him, may order the disinfection, or, at his discretion, the destruction of any collection of rags in rag-pickers' houses, or rag stores, or of second-hand gunny bags if believed to have been imported from an infected area. A record shall be kept of action taken under this or the preceding Regulation.

55. The Resident, or any officer authorised by him, may, in his discretion, pay compensation to any person who has sustained loss or damage by reason of anything done under these Regulations : provided, however, that no person shall be entitled to claim any compensation whatsoever. Payment of compensation shall, so far as is possible, be paid immediately the damage or loss is caused.

56. All persons shall be bound to answer truly all such questions as may properly be asked of them, for the purpose of carrying out any of these Regulations, either regarding themselves, or regarding the members of the household or family to which they belong.

57. Any person disobeying, or contravening, or refusing to submit himself to any of these Regulations, shall be deemed to have committed an offence punishable under section 183 of the Indian Penal Code, and shall be liable on conviction to be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

[*Gazette of India*, 1906, Pt. II, p. 963.]

No. 3021, dated the 3rd August 1895.—Under the provisions of section 7 of Act X of 1882 (the Code of Criminal Procedure)<sup>2</sup> as applied to the Civil and Military Station of Bangalore the Resident is pleased to declare the said Civil and Military Station to be a District for the purpose of that Act.

Code of Criminal Procedure, 1898  
Civil and Military Station declared to be a District for the purpose of the Code of Criminal Procedure.

[*Gazette of India*, 1895, Pt. II, p. 980]

No. 3176, dated the 3rd August 1897.—Under the provisions of section 174 of the Code of Criminal Procedure, 1882,<sup>2</sup> as applied to the Civil and Military Station of Bangalore, the Resident is pleased to

of certain.

<sup>1</sup>For other notifications under the Code see Orders relating to Courts, Vol. I, p. 401.

<sup>2</sup>See now the Code of Criminal Procedure, 1898 (Act V of 1898), as applied by notification No. 732-D, dated the 19th March 1913. Printed Vol. I, p. 330



rules for the guidance of Police Officers in the conduct of investigations under that section. These rules supersede all previous rules on the subject:—

I. When, from the information received by an officer in charge of a Police Station under section 171, he has reason to believe—

- (a) that the deceased person is a European or a Eurasian, or
- (b) that any person has been killed by the act or neglect of another, or has died under circumstances raising a reasonable suspicion that some other person has committed an offence, such officer—

(i) shall, when giving or sending the immediate intimation to the nearest Magistrate empowered to hold inquests, as required by the said section, state clearly such particulars as he has been able to ascertain regarding the occurrence and the nationality of the deceased,

(ii) and shall at the same time send a copy of the said intimation to the District Superintendent of Police, or in the absence of the District Superintendent of Police from the Civil and Military Station, to such officer as may be deputed by the District Superintendent to attend to his ordinary duties at Head-Quarters during such absence. He shall not proceed to discharge any of his further functions as described in the said section without receiving instructions to that effect from the District Superintendent or other officer aforesaid.

If, if the District Superintendent or other officer aforesaid on receiving such intimation considers that there are sufficient grounds for believing that the occurrence therein reported falls under clause (a) or (b) of Rule I, he shall either himself discharge the further functions imposed on the officer in charge of a station under section 174, or shall depute some Police Officer of not lower rank than Inspector to discharge such functions.

Provided that when the deceased is a European or a Eurasian, the Police Officer deputed shall be himself a European or a Eurasian.

III. If in any such case the District Superintendent or other officer aforesaid considers that it is essential that an inquest should be held by a Magistrate he shall, in addition to the procedure prescribed in Rule II, send a request to that effect to the Magistrate to whom the first intimation of the occurrence was sent, stating therein his reasons for making the request.

No. 3694-3423, dated the 6th November 1888.—Under the provisions of section 174 of Act No. X of 1882 (The Code of Criminal Procedure) <sup>Post-mortem examinations.</sup> <sup>1</sup> the Resident in Mysore is pleased to authorize the Residency Surgeon and the Assistant Surgeon, Bowring Civil Hospital, Bangalore, to hold *post-mortem* examinations in cases cognizable by the police of the Civil and Military Station of Bangalore.

[*Gazette of India*, 1888, Pt. II, p. 526.]

No. 4591, dated the 2nd November 1897.—Under the provisions of section 174 of the Code of Criminal Procedure, 1882,<sup>1</sup> as applied to the Civil and Military Station of Bangalore, the Resident is pleased to direct that if, in the case of an investigation by the Police into the cause of death of any soldier, camp follower or other person entitled to military medical attendance, an examination of the body of the deceased is deemed necessary under the said section, such body shall be forwarded to the Hospital which the deceased would ordinarily have attended for medical relief.

Ditto.

[*Gazette of India*, 1897, Pt. II, p. 1271.]

No. 2461-I.B., dated the 23rd December 1909.—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore, by the notification of the Government of India in the Foreign Department,<sup>2</sup> No. 1159-I.A., dated the 5th May 1899, and in supersession of Foreign Department notification No. 2544-I., dated the 5th August 1895, and so much of Finance Department notification No. 4015-Exc., dated the 10th July 1908, as relates to the said Civil and Military Station, the Governor-General in Council is pleased to reduce to the extent set forth in each case the duties chargeable under the said Act in respect of the instruments hereinafter described under Nos. 22 and 31 and to remit the duties so chargeable in respect of instruments of the other classes hereinafter described :—

Indian Stamp Act 1899.

Reduction and remission of duties

#### A.—Land Revenue.

1. Lease or counterpart thereof executed at the time of settlement made directly by the Government with the existing occupant of land, whether a land-holder or a tenant and whether self-cultivating or not, provided that no fine or premium is paid in consideration of the lease

2. Instrument executed for the purpose of securing the repayment of a loan made or to be made, under the Bangalore Sanitary Improvement Loans Law,

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), as applied by notification No. 732-D, dated the 19th March 1913. Printed vol. I, p. 390.

<sup>2</sup> Superseded by the notification cited above, paragraph II of which keeps this notification in force.

22. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs whichever shall be less.

*G.—Other Documents.*

23. Bill of exchange drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

24. Cheque drawn in Mysore on which the full rate of stamp duty chargeable has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

25. Receipt given for payment of interest on Government of India Promissory Notes.

26. Letter of authority or power of attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give, on behalf of the other or others of them, or any one or more of them, a discharge for interest payable on such security or of any renewed security issued in lieu thereof.

27. Arrangement entered into under the Indian Income Tax Act, 1886 (II of 1886), section 9, sub-section (2), as in force in the Civil and Military Station of Bangalore.

28. Sanad of jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration.

29. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government

amount if such loan or debt is repayable not more than three months from the date of the instrument

32. Instrument executed in the areas mentioned in the schedule hereto attached, in respect of which the stamp duty with which it is chargeable under the law for the time being in force in the said areas has been paid in accordance with the said law.

### SCHEDULE—*Areas.*

1. British India.
2. Agency territories in Baluchistan.
3. Abu and Anadra including the road leading from the Abu Sanitarium to Abu Road Railway Station and to the Bazar at Kharari.
4. The Cantonments of Mhow, Neemuch, Nowgong (including the Civil Lines), [and Sehore] in the Central India Agency and of [Baroda and Deesa].
5. The Indore Residency Bazaar.
6. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor-General in Council exercises jurisdiction.
7. The areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad.
8. Berar.
9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction.
10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.
11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor-General in Council exercises jurisdiction.

[*Gazette of India*, 1909, Pt. I p. 1715]

No. 1351-I.B., dated the 3rd July 1911.—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore by the notification of the Government of India in the Foreign Department, No. 2477-I.B., dated the 16th December 1910, the Governor-General in Council is pleased to remit the duty chargeable under Article 10, clause (b), of Schedule I of the said Act on mortgage deeds executed by an officer of the Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing a motor car for his own use.

Further remission of duties.

[*Gazette of India*, 1911, Pt. I, p. 545]

<sup>1</sup> See notification No. 2601-I.B., dated the 15th December 1912 *Gazette of India*, 1912, Pt. I, p. 1686.

<sup>2</sup> See now notification No. 732-D., dated the 19th March 1913 *Pravak* Vol. I, p. 359

22. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs 5 whichever shall be less.

*G.—Other Documents.*

23. Bill of exchange drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

24. Cheque drawn in Mysore on which the full rate of stamp duty chargeable has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

25. Receipt given for payment of interest on Government of India Promissory Notes.

26. Letter of authority or power of attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give, on behalf of the other or others of them, or any one or more of them, a discharge for interest payable on such security or of any renewed security issued in lieu thereof.

27. Arrangement entered into under the Indian Income Tax Act, 1886 (II of 1886), section 9, sub-section (2), as in force in the Civil and Military Station of Bangalore.

28. Sanad of jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration.

29. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government.

30. Transfer by endorsement of a mortgage of rates and taxes authorized by any Act for the time being in force in the Civil and Military Station of Bangalore.

31. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article No. 13 (6) of Schedule 1 of the Stamp Act, 1899, for the amount secured if such loan or debt is repayable on demand or more than three months from the date of the instrument and to half the

amount if such loan or debt is repayable not more than three months from the date of the instrument.

32. Instrument executed in the areas mentioned in the schedule hereto attached, in respect of which the stamp duty with which it is chargeable under the law for the time being in force in the said areas has been paid in accordance with the said law.

### SCHEDULE—*Areas.*

1. British India.
2. Agency territories in Baluchistan.
3. Abu and Anadra including the road leading from the Abu Sanitarium to Abu Road Railway Station and to the Bazar at Kharari.
4. The Cantonments of Mhow, Neemuch, Nowgong (including the Civil Lines), [and Sehore] in the Central India Agency and of [Baroda and Deesa].
5. The Indore Residency Bazaars.
6. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor-General in Council exercises jurisdiction.
7. The areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad.
8. Berar.
- <sup>1</sup>9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction
- <sup>1</sup>10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.
- <sup>1</sup>11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor-General in Council exercises jurisdiction.

[*Gazette of India*, 1909, Pt. I p. 1715.]

No. 1351-I.B., dated the 3rd July 1911.—In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore by the notification of the Government of India in the Foreign Department, <sup>Further remitted.</sup>  
<sup>2</sup>No. 2477-I.B., dated the 16th December 1910, the Governor-General in Council is pleased to remit the duty chargeable under Article 40, clause (b), of Schedule I of the said Act on mortgage deeds executed by an officer of the Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing a motor car for his own use.

[*Gazette of India*, 1911, Pt. I, p. 545.]

<sup>1</sup> See notification No. 2601 I.B., dated the 19th December 1912. *Gazette of India*, 1912, Pt. I, p. 1086.

<sup>2</sup> See now notification No. 732-D, dated the 19th March 1913. Printed Vol. I, p. 390.

22. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs whichever shall be less.

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29. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government

30. Transfer by endorsement of a mortgage of rates and taxes authorized by any Act for the time being in force in the Civil and Military Station of Bangalore.

31. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article No. 13 (6) of Schedule 1 of the Stamp Act, 1899, for the amount secured if such loan or debt is repayable on demand or more than three months from the date of the instrument and to half the

amount if such loan or debt is repayable not more than three months from the date of the instrument.

32. Instrument executed in the areas mentioned in the schedule hereto attached, in respect of which the stamp duty with which it is chargeable under the law for the time being in force in the said areas has been paid in accordance with the said law.

### SCHEDULE—*Areas*

1. British India.
2. Agency territories in Baluchistan.
3. Abu and Anadra including the road leading from the Abu Santharim to Abu Road Railway Station and to the Bazar at Kheral.
4. The Cantonments of Mhow, Nrennuch, Nowpore (including the Civil Lines), [and Sehore] in the Central India Agency and of 4 Baroda and Deesa).
5. The Indore Residency Bazaars.
6. Railway lands within the limits of the Central India and Rajputana Agencies over which the Governor-General in Council exercises jurisdiction.
7. The areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad.
8. Bernar.
9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction.
10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and in which the provisions of the Indian Stamp Act, 1899, have been applied.
11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Government exercise jurisdiction.

[Gazette of India 1904 No. 100.]

No. 100-1-11, dated the 1st July 1911—In exercise of the powers conferred by section 1 of the Indian Stamp Act, 1899 (II of 1899), as applied to the United Provinces of Agra and Oudh by the notification of the Government of India in the Department of Revenue, No. 100-1-11, dated the 1st July 1911, the Governor-General in Council has pleasure in notifying that the provisions of the Indian Stamp Act, 1899, shall be applied to the United Provinces of Agra and Oudh from the 1st July 1911. Further remissions.

[Gazette of India 1911 No. 100.]

100-1-11, dated the 1st July 1911—In exercise of the powers conferred by section 1 of the Indian Stamp Act, 1899 (II of 1899), as applied to the United Provinces of Agra and Oudh by the notification of the Government of India in the Department of Revenue, No. 100-1-11, dated the 1st July 1911, the Governor-General in Council has pleasure in notifying that the provisions of the Indian Stamp Act, 1899, shall be applied to the United Provinces of Agra and Oudh from the 1st July 1911.



22. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force. Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs 5 whichever shall be less.

*G.—Other Documents.*

23. Bill of exchange drawn in Mysore on which the full rate of stamp duty has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

24. Cheque drawn in Mysore on which the full rate of stamp duty chargeable has been paid there, where the same is negotiated in the Civil and Military Station of Bangalore.

25. Receipt given for payment of interest on Government of India Promissory Notes.

26. Letter of authority or power of attorney executed for the sole purpose of authorising one or more of the joint holders of a Government security to give, on behalf of the other or others of them, or any one or more of them, a discharge for interest payable on such security or of any renewed security issued in lieu thereof.

27. Arrangement entered into under the Indian Income Tax Act, 1886 (II of 1886), section 9, sub-section (2), as in force in the Civil and Military Station of Bangalore.

28. Sanad of jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration.

29. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government.

30. Transfer by endorsement of a mortgage of rates and taxes authorized by any Act for the time being in force in the Civil and Military Station of Bangalore.

31. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. Duty reduced to the amount chargeable on a bill of exchange under Article No. 13 (6) of Schedule 1 of the Stamp Act, 1899, for the amount secured if such loan or debt is repayable on demand or more than three months from the date of the instrument and to half the

instrument, a portion of such instrument shall be written on each sheet so used.

(2) Where a single sheet of paper is found insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument :

Provided that in every such case the side of the sheet which bears the stamp shall be covered by a substantial part of the instrument before any part of the latter is written on the plain paper joined to such sheet.

6. The Collector of the Civil and Military Station of Bangalore is empowered to affix and impress labels, and he " The proper officer, " shall be deemed to be " the proper officer " for

the purposes of the Act and of these rules.

7. (1) Labels may be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix A, and of the counterparts thereof.

Affixing and impressing of labels by proper officer permissible in certain cases.

(2) Labels may likewise be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix B, when written in any European language, and accompanied, if the language is not English, by a translation into English

8. (1) The proper officer shall, upon any such instrument as is referred to in rule 7 being brought to him before it is executed, and upon application being made to him for that purpose, affix thereto a label or labels of such value as the applicant may desire and pay for, and impress such label or labels by means of a stamping machine, and also stamp or write on the face of the label or labels the date of impressing the same before returning the instrument to the applicant. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets.

Mode of affixing and impressing labels.

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

9. Instruments (other than instruments which, under section 11 of the Act, may be stamped with adhesive stamps) executed out of British India or the Civil and Military Station of Bangalore and requiring to be stamped after their receipt in the said Civil and Military Station shall be stamped with the impressed labels.

Certain instruments to be stamped with impressed labels

No. 33.

Page 684.—*Substitute* the following for Notification No. the 7th December 1906:—

*No. 684-D., dated 11th December 1914.*—In exercise of the power conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to the Military Station of Bangalore, by the notification of the Government of India in the Foreign Department, No. 732-D., dated the 1st December 1914, the Governor-General in Council is pleased to make the supersession of all rules now in force under the Act in the Military Station of Bangalore as published with the following Government of India in the Foreign Department, namely:—

Notification No. 4870-I.A., dated the 7th December 1906.

Notification No. 2131-I.B., dated the 2nd November 1906.

## RULES UNDER THE INDIAN STAMP ACT

### CHAPTER I.

#### PRELIMINARY.

1. These rules may be called the Bangalore Stamp Rules.

2. In these rules—

(a) "The Act" means the Indian Stamp Act, 1899, as applied to the Civil and Military Station of Bangalore;

(b) "Section" means a section of the Act;

(c) "Schedule" means a schedule of the Act.

3. (1) Except as otherwise provided by the Act or by these rules,

(i) all duties with which any instrument is chargeable shall be paid and such payment shall be made by means of stamps issued for the purposes of the Act, and

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"The proper officer."

Affixing and impressing of labels by proper officer permissible in certain cases.

be written on the sheet which bears the stamp before the plain paper subjoined.

7. The Collector of the Civil and Military Station is empowered to affix and impress labels and he shall be the "proper officer" for the purposes of the Act and of these rules.

8. Labels may be affixed and impressed by the Collector of any of the following instruments, namely:—

(i) those specified in Appendix I, and the

(ii) those specified in Appendix II, when

instrument, a portion of such instrument shall be written on each sheet so used.

(2) Where a single sheet of paper is found insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument :

Provided that in every such case the side of the sheet which bears the stamp shall be covered by a substantial part of the instrument before any part of the latter is written on the plain paper joined to such sheet.

6. The Collector of the Civil and Military Station of Bangalore is empowered to affix and impress labels, and he shall be deemed to be "the proper officer" for

the purposes of the Act and of these rules.

7. (1) Labels may be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix A, and of the counterparts thereof.

Affixing and impressing of labels by proper officer permissible in certain cases.

(2) Labels may likewise be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix B, when written in any European language, and accompanied, if the language is not English, by a translation into English

8. (1) The proper officer shall, upon any such instrument as is referred to in rule 7 being brought to him before it is executed, and upon application being made to him for that purpose, affix thereto a label or labels of such value as the applicant may desire and pay for, and impress such label or labels by means of a stamping machine, and also stamp or write on the face of the label or labels the date of impressing the same before returning the instrument to the applicant. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets

Mode of affixing and impressing labels.

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels

9. Instruments (other than instruments which, under section 11 of the Act, may be stamped with adhesive stamps) executed out of British India or the Civil and Military Station of Bangalore and requiring to be stamped after their receipt in the said Civil and Military Station shall be stamped with the impressed labels

Certain instruments to be stamped with impressed labels

## CHAPTER III.—OF ADHESIVE STAMPS.

10. Bills of exchange payable otherwise than on demand and drawn in sets, when the amount of duty does not exceed one anna for each part of the set, may be stamped with adhesive stamps.

<sup>1</sup> [10A. Transfers of debentures of Public Companies and Associations shall be stamped with adhesive stamps.]

10B. Copies of maps and plans, and printed copies when chargeable with stamp duty under article 24 of Schedule 1 of the Act may be stamped with adhesive stamps.]

11. When any instrument of transfer of shares in a Company or Association is written on a sheet of paper on which the necessary stamp is engraved or embossed, and the value of the stamp so engraved or embossed is subsequently, in consequence of a rise in the market value of such shares, found to fall short of the amount of duty chargeable under article No. 62 (a) of Schedule 1 to the Act, one or more adhesive stamps bearing the words "Transfer Stamp, Mysore," as hereinafter prescribed, may be used to make up the amount required.

12. Except as otherwise provided by these rules, the adhesive stamp or stamps used to denote the duty of one anna shall bear the words "One Anna" or "Half Anna" as the case may be, and the adhesive stamp used to denote the duty of half an anna shall bear the words "Half Anna" and such stamp or stamps may be superscribed either for postage or for revenue or for both postage and revenue.

13. The following instruments, when stamped with adhesive stamps, shall be stamped in the manner hereinafter prescribed, that is to say :—

- <sup>1</sup> [ (a) Transfers of shares and debentures of Public Companies and Associations shall be stamped with adhesive stamps bearing the words "Transfer Stamp, Mysore." ]
- (b) Notarial acts shall be stamped with adhesive stamps bearing the words "Notarial Stamp, Mysore."
- (c) Copies of maps or plans <sup>1</sup> [and printed copies] certified to be true copies shall be stamped with adhesive court-fee stamps.

<sup>1</sup> See notification No. 2131-I.B, dated the 2nd November 1910. *Gazette of India*, 1910, Pt. I, p. 1104.

## CHAPTER IV.—MISCELLANEOUS.

14. When an instrument bears a stamp of sufficient amount, but of improper description, the Collector may, on payment of the duty with which the same is chargeable, certify by endorsement on the instrument that it is duly stamped :

Provided that if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely because of the difficulty or inconvenience of procuring one of proper description, he may remit the further payment of duty prescribed in this rule

15. The Collector may require any person claiming a refund or renewal under Chapter V of the Act, or his duly authorised agent, to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit as aforesaid.

When an application is made for the payment, under Chapter V of the Act, of an allowance in respect of a spoiled or misused stamp, or on the renewal of a debenture, and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application, then, if the amount of the allowance or the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished, as the case may be, by the applicant within one year of the date of such order as aforesaid, the application shall be struck off and the spoiled or misused stamp (if any) sent to the Superintendent of Stamps, Mysore, for destruction.

16. Where the Collector makes a refund under section 55 of the Act, he shall cancel the original debenture by writing on or across it the word "Cancelled" and his usual signature with the date thereof.

17. On the conviction of any offender under Chapter VII of the Act, the Collector may grant to any person who appears to him to have contributed thereto, a reward within a limit to be fixed by the Resident in Mysore.

e supply  
stamps.

No. 32, dated the 1st April 1908.—In exercise of the powers conferred by section 74 of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore, by the notification of the Government of India in the Foreign Department, No. 1159-I.A., dated the 5th May 1899, and in supersession of the rules promulgated by notification No. 25, dated the 10th May 1907, the Resident in Mysore is pleased to make the following rules for the supply and sale of stamps and the appointment, duties and remuneration of persons by whom such sale is to be conducted in the Civil and Military Station.

For the purposes of these rules stamps are divided into two classes, *viz.*,

(i) Adhesive stamps.

(ii) Impressed stamps.

2. Adhesive stamps used to denote the duty of one anna or half an anna may be sold by any person. All other stamps shall be sold by *ex-officio* or licensed vendors in accordance with these rules.

3. Such officers of Government, as the Resident may appoint, shall be *ex-officio* vendors. Such persons as may be licensed by the Collector of the Civil and Military Station of Bangalore shall be licensed vendors.

4. *Ex-officio* vendors shall supply stamps to the public and to licensed vendors; and shall allow discount to the latter at the rates and under the conditions hereinafter prescribed.

5. Licensed vendors shall sell to the public such stamps as are indicated in their licenses. They shall obtain stamps from *ex-officio* vendors on payment of ready money (less the commission hereinafter prescribed), and shall keep such stock of stamps, including half-anna and one-anna unified stamps, as the Collector may consider sufficient to meet the demand likely to be made upon the licensed vendors for their supply.

6. Licenses shall be issued in Form B annexed to these rules and shall specify the name of the licensee, the description of stamps which may be sold under the license, the place of vend, the period of the currency of the license and such other matters as may be necessary and shall be signed by the Collector.

7. Any license granted under these rules may be suspended or cancelled at any time by the Resident or by the Collector.

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<sup>1</sup> Superseded by notification No. 732-D, dated the 15th March 1913, paragraph II of which keeps this notification in force. Printed Vol. I, p. 390

8. Subject to rule 9 every licensed vendor who purchases stamps from an *ex-officio* vendor shall receive the same at such discount not exceeding the following rates as may from time to time be prescribed by the Resident :—

Description of Stamps.		Rate of discount per cent.
<i>Adhesive Stamps.</i>		<i>R a. p.</i>
Stamps not exceeding in value 8 annas each	. . .	3 2 0
Exceeding 8 annas but not exceeding R5 each	. . .	1 9 0
„ R5 but not exceeding R50 each	. . .	1 9 0
<i>Impressed sheets.</i>		
Hundi Stamps	. . . . .	} 3 2 0
Impressed stamp paper	. . . . .	

9. No discount shall be given if the number or value of stamps purchased at one time is less than the minimum number or value which the Resident may from time to time prescribe in this respect. Provided that no discount shall be given on account of the purchase of any stamp exceeding R50 in value nor on account of the purchase of half-anna and one anna unified stamps.

10. Every licensed vendor shall at all times have exhibited in a conspicuous spot outside the place of vend, a signboard bearing the name of the vendor with the words "Licensed Vendor of Stamps" in English and in Canarese. He shall also keep in the place of vend a copy of these rules together with a translation thereof in Canarese and a copy of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore, in such a manner that they can readily be seen and read by purchasers.

11. Every stamp vendor shall write on the back of every impressed stamp which he sells, a serial number, the date of sale, the name and residence of the purchaser—and if the stamp is purchased for the use of any person other than the person who tenders the money for it, the name and residence of that other person also—and the value of the stamps in full in words and his own ordinary signature. The serial number shall begin with the first stamp paper sold in the official year and end with the last.

12. An endorsement made under rule 11 shall not be altered. If an incorrect endorsement has been inadvertently made the stamp paper may be treated as spoiled.

13. Every stamp vendor shall keep a register of sales in Form A annexed to these rules, together with —

- (a) a stock book showing daily receipts in which all stamps shall be entered as received. On the last day of each month the vendor shall add up the columns and enter in one line the receipts of the whole month. Below this line he shall enter the sales of the month obtained from the register of sales. The difference will be the opening balance of the next month.



(b) an abstract of daily sales, the columns of which shall be totalled at the end of every month.

(c) a monthly abstract of stamps received and sold, which shall be submitted to the Treasury Officer at the beginning of each month. In this form the sales by a licensed vendor shall be given in the lump under each designation of stamps, without reference to the transactions in each value, but an *ex-officio* vendor should distinguish the sales to licensed vendors from sales to others. Books containing these forms will be issued from the Collector's office. The above accounts shall be produced for inspection on the demand of any Government officer not below the grade of Amildar.

14. An entry shall be made in the register of sales as each sale is effected. If the vendor takes a stamp from stock for his own private use it must be treated as a sale.

15. Every stamp vendor shall, without delay, deliver any stamp which he has in his possession for sale on demand by any person legally tendering the value in current coin or currency notes. No vendor shall demand or accept for any stamp more than the actual value denoted thereon.

16. No stamp vendor shall sell any stamp, the use of which has been ordered by competent authority to be discontinued.

17. Every stamp vendor shall at any time, on the demand of the Collector or other officer duly authorised by the Resident, deliver up all stamps or any class of stamps remaining in his possession. The Collector shall, when stamps are returned into the Treasury on (1) resignation of the vendor's license, (2) revocation of license for any fault of the licensee, (3) death of the vendor, or (4) application of the vendor for leave to restore any stamps, repay the vendor or his representatives the full value of the stamps less a deduction of one anna in the rupee or a fraction of a rupee; when, however, the stamps are returned on (5) expiration of license, (6) recall of stamps by Government, or (7) revocation of license for any other cause than that mentioned in (2), they should be taken back at their full value less only any discount allowed on their sale to the licensed vendor.

18. Stamp papers will be sold at the Resident's Treasury and also at other licensed vend premises excepting single stamps of the value of more than Rs50 which may be sold, without discount, to any person by the Treasurer of the Resident's Treasury.

19. The account books of vendors will be sent for and examined once a quarter by the Officer in charge of the Resident's Treasury in order to ensure their being properly kept.

20 When a stamp tendered for any required rain is said, with of stamp which is a certificate of papers available to that effect a certificate to that effect.

21. A licensee's return shall be and every stamp tendered shall be Sundays and holidays

FROM 1911 to 1912

Serial number, Date of issue, Name of licensee, Address of licensee, and other particulars.

1	2	3	4	5

NOTE—(1) If the licensee is a

the licensee shall be liable to

(2) If the licensee is a

the licensee shall be liable to

Licensee's return shall be for a period of 12 months to the 31st day of March 1911, as provided in the regulations, and may be renewed for any further period or both.

Witness my hand

Witness,  
Dated

Signature of licensee

1. Smoking prohibited  
Supervision of operations within installation or storage shed.  
Cleanliness of installation,

Supply of sand or dry earth in installation.  
Marking of capacity of tanks  
gallons

in bulk, Protection from lightning  
tain ten  
liable to  
protected

situated as  
being ignited,  
to any build-  
ing by a wall, or  
formed being

Installation shall test in such manner as the order, declare to last test shall be

Official testing of lightning-conductors, if may

any Time for work in installations or

*No. 52, dated the 19th July 1909.*—In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore and to the railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, the Hon'ble the Resident in Mysore, with the previous sanction of the Governor-General in Council, is pleased to make the following rules to regulate the possession and transport of petroleum in the said Civil and Military Station and the railway lands.

All rules heretofore made by the Hon'ble the Resident in Mysore under the said Act for regulating the possession and transport of petroleum are hereby cancelled.

#### PART I.—PRELIMINARY.

##### 1. In these rules,—

- (a) "Part" means a Part of these rules;
- (b) "petroleum in bulk" means petroleum in quantities exceeding five hundred gallons, contained in any one receptacle;
- (c) "installation" means a place specially prepared for the storage of petroleum in bulk or for bulk combined with non-bulk storage, and may be either a major or a minor installation;
- (d) "major installation" means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, exceeding fifty thousand gallons; or
  - (2) in which tin-making operations are carried on;
- (e) "minor installation" means an installation—
  - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, not exceeding fifty thousand gallons; and
  - (2) in which no tin-making operations are carried on
- (f) "storage shed" means a building used for the storage of petroleum otherwise than in bulk, and may or may not form part of an installation;
- (g) "protected works" includes buildings in which persons dwell or assemble, docks, wharves, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Resident in Mysore may by notification declare as such;

- (A) "motor-vehicle" means any vehicle or vessel propelled by a motor in which petroleum is used as fuel ; and
- (i) "owner," as applied to a motor-vehicle, includes a person who hires, or is otherwise entitled for the time being to use or work a motor-vehicle.

## PART II.—POSSESSION AND TRANSPORT OF PETROLEUM.

### CHAPTER I.—*Possession of Petroleum.*

1. No smoking shall be permitted inside any installation or storage shed. Smoking prohibited.
  2. All operations within any installation or storage shed shall be conducted under the supervision of a responsible agent or supervisor. Supervision of operations within installation or storage shed.
  3. The ground in the interior of an installation shall be kept clean and free from goods of a combustible nature, vegetation and rubbish. Cleanliness of installation.
  4. A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire. Supply of sand or dry earth in installation.
  5. The capacity in gallons of every tank in an installation shall be conspicuously marked on it, and shall be calculated at the rate of 6.25 gallons per cubic foot. Marking of capacity of tanks
  6. Every tank or other receptacle for the storage of petroleum in bulk, except a tank or receptacle which is not of sufficient capacity to contain ten thousand gallons of petroleum and which is so situated as not to be liable to cause danger in the event of the petroleum being ignited, shall be protected by an efficient lightning-conductor. Protection from lightning
- Explanation.*—A tank or receptacle shall be deemed to be so situated as not to be liable to cause danger in the event of the petroleum being ignited, if it is not in close proximity to any other tank or receptacle, or to any building not forming part of the installation, and if it is surrounded by a wall, or embankment, or sunk in an excavation, the enclosure thus formed being sufficient to contain the whole contents of the tank or receptacle.
7. Not less than once in every year the licensee of an installation shall test or cause to be tested the efficiency of the conductor in such manner as the Chief Inspector of Explosives may, by general or special order, declare to be sufficient, and a certificate showing the date of the last test shall be posted in a conspicuous place within the installation. Testing of lightning-conductor by licensee.
  8. Any officer appointed by the Resident in Mysore in this behalf may enter any installation for the purpose of testing the efficiency of the conductor, at any time after sunrise and before sunset. Official testing of lightning-conductor.
  9. No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted, between sunset and sunrise: Time for work in installations or storage sheds.

provided that in cases where electric lighting is exclusively used, night working may be permitted by the Resident in Mysore on the recommendation of the Chief Inspector of Explosives.

10. Where there are any pipes or openings for draining out water in any enclosure wall arrangements shall be made whereby they can be closed, and they shall only be kept open when actually necessary for drainage purposes. The nature of such arrangements shall be shown in the specifications which are required, under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

11. All storage sheds in an installation shall be built of uniuflammable material.

12. There shall be hung up in a conspicuous place in every installation and storage shed, for which a license has been granted, copies in English and the vernacular of the rules contained in this Chapter and of the conditions endorsed on the license.

## CHAPTER II.—*Transport of Petroleum.*

Petroleum may be transported into and within the Civil and Military Station of Bangalore and the railway lands in Mysore territory over which jurisdiction has been ceded to the British Government under cover of a license granted by the prescribed authority in any province in British India or in any area outside British India to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed throughout the period during which the petroleum is in transit.

## CHAPTER III.—*General Provisions relating to Licenses.*

1. All applications for licenses for the possession or transport of petroleum shall be made to the District Magistrate.

2. Licenses—

- (a) for the possession of non-dangerous petroleum, not being petroleum in bulk,
- (b) for the possession of non-dangerous petroleum in a minor installation,
- (c) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and
- (d) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by the District Magistrate, or by such other authority as the Resident in Mysore may from time to time by order in writing appoint in this

behalf. In all other cases the licensing authority shall be the Resident in Mysore :

Provided that in the case of renewals of existing licenses the Resident in Mysore may delegate his powers under this rule to the District Magistrate or to such other authority as the Resident in Mysore may from time to time by an order in writing appoint in this behalf.

3. The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case : Refusal of license.

Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtained his concurrence.

4. Every license granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing Forfeiture of license.

5. Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules : Particulars of license.

Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives

[Provided also that, in the case of installations or storage sheds intended for the storage of petroleum, which has a flashing power above 150° F, the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendation of the Chief Inspector of Explosives.]

6. (1) Every application for the renewal of a license shall be made in the same manner as an application for an original license. Renewal of licenses.

(2) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such

provided that in cases where electric lighting is exclusively used, night working may be permitted by the Resident in Mysore on the recommendation of the Chief Inspector of Explosives.

10. Where there are any pipes or openings for draining out water in any enclosure wall arrangements shall be made whereby they can be closed, and they shall only be kept open when actually necessary for drainage purposes. The nature of such arrangements shall be shown in the specifications which are required, under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

11. All storage sheds in an installation shall be built of unflammable material.

12. There shall be hung up in a conspicuous place in every installation and storage shed, for which a license has been granted, copies in English and the vernacular of the rules contained in this Chapter and of the conditions endorsed on the license.

## CHAPTER II.—*Transport of Petroleum.*

Petroleum may be transported into and within the Civil and Military Station of Bangalore and the railway lands in Mysore territory over which jurisdiction has been ceded to the British Government under cover of a license granted by the prescribed authority in any province in British India or in any area outside British India to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed throughout the period during which the petroleum is in transit.

## CHAPTER III.—*General Provisions relating to Licenses.*

1. All applications for licenses for the possession or transport of petroleum shall be made to the District Magistrate.

2. Licenses—

- (a) for the possession of non-dangerous petroleum, not being petroleum in bulk,
- (b) for the possession of non-dangerous petroleum in a minor installation,
- (c) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and
- (d) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by the District Magistrate, or by such other authority as the Resident in Mysore may from time to time by order in writing appoint in this

behalf. In all other cases the licensing authority shall be the Resident in Mysore :

Provided that in the case of renewals of existing licenses the Resident in Mysore may delegate his powers under this rule to the District Magistrate or to such other authority as the Resident in Mysore may from time to time by an order in writing appoint in this behalf.

3. The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case : Refusal of license.

Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtained his concurrence.

4. Every license granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing Forfeiture of license.

5. Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules : Particulars of license.

Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives.

[Provided also that, in the case of installations or storage sheds intended for the storage of petroleum, which has a flashing power above 150° F, the license may contain, in lieu of the conditions endorsed on the form prescribed for it by these rules, such conditions as may in each case be approved by the licensing authority on the recommendation of the Chief Inspector of Explosives.]

6. (1) Every application for the renewal of a license shall be made in the same manner as an application for an original license. Renewal of license.

(2) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly licensed until such



date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of a license as for a new license.

7. When any license is granted for the possession of petroleum, a copy of the rules contained in Chapter I of this Part printed in English and the vernacular shall be given, together with the license, to the licensee.

8. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

9. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

#### CHAPTER IV.—*Licenses for the possession of Petroleum.*

1. Every license for the possession of petroleum shall remain in force until the 31st of December next following the date of issue of the license.

2. Licenses for the possession of petroleum, not being dangerous petroleum, otherwise than in bulk, may be granted in Form A.

3. Licenses for the possession of dangerous petroleum, not in bulk, in quantity exceeding forty gallons may be granted in Form B.

4. Licenses for the possession of dangerous petroleum in quantity not exceeding forty gallons may be granted in Form C.

5. (1) The holder of a license in Form A, B or C may, at any time before the expiry of the license, apply for permission to transfer his license to another person

(2) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named

(3) A fee of Rs 1 shall be charged on each such application

(4) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

6. Special licenses for the possession of dangerous petroleum in receptacles containing more than forty gallons, but not more than 500 gallons each, may be granted on such terms as the Resident in Mysore may prescribe on the recommendation of the Chief Inspector of Explosives.

Possession of dangerous petroleum in receptacles containing more than forty gallons each.

7. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Resident in Mysore, on the recommendation of the Chief Inspector of Explosives, may from time to time by general or special order, approve, may be granted in Form D

Storage in major installations.

8. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations, in accordance with such specifications and plans as the Chief Inspector of Explosives may from time to time, by general or special order, approve, may be granted in Form E.

Storage in minor installations.

9. (1) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein.

(2) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles save in so far as these provisions are varied by the conditions of the license.

Dangerous petroleum for use on motor vehicles.

10. Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify:—

Particulars to be given in application for licenses for the possession of petroleum other than licenses under rules 4 and 9.

- (a) the description and quantity of petroleum which the applicant desires to keep,
- (b) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,
- (c) the amount of petroleum, if any, already licensed to be kept on the same premises.

If the application be made for the first time in respect of any major or minor installation, or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale

11. Before petroleum is stored in any major or minor installation for which a license has been granted for the first time, a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an engineer

Certificate of safety to be furnished.

accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

12. Every application for a license under rules 4 and 9 of this Chapter shall specify :—

- (a) whether the applicant is the owner of a motor-vehicle,
- (b) the amount of dangerous petroleum the applicant desires to store,
- (c) the exact position and nature of the premises intended to be used for the storage of such dangerous petroleum, and whether the said premises fulfil the conditions prescribed by Form C or Form F, as the case may be.

#### CHAPTER V.—*Licenses for the Transport of Petroleum.*

1. General licenses for the transport of petroleum, other than dangerous petroleum, may be granted for a period of twelve months in Form G.

\* [NOTE.—Petroleum may be transported into and within the Civil and Military Station of Bangalore and the railway lands in Mysore territory over which jurisdiction has been ceded to the British Government under cover of a license granted by the prescribed authority in any province in British India or in any area outside British India to which the Indian Petroleum Act, 1890, may be applied, provided that the conditions of such license are observed throughout the period during which the petroleum is in transit.]

2. General licenses for the transport of dangerous petroleum, otherwise than in bulk, may be granted for a period of twelve months in Form H.

3. Licenses granted under rules 1, 2 and 9 of this Chapter may authorise the holders to transport petroleum without restriction as to destination or total quantity.

4. The holder of a general license granted under rules 1, 2 or 9 of this Chapter shall, with each consignment of petroleum conveyed under cover of his license, issue to the person who takes charge of the petroleum for the purpose of transporting it, a numbered pass in Form I.

5. Special licenses may be granted for the transport of petroleum, other than dangerous petroleum, in quantities exceeding 5 hundred gallons, in Form J.

6. Special licenses may be granted for the transport of dangerous petroleum other than in bulk in Form K.

7. A special license granted under rules 5 and 6 shall only cover the transport of the particular consignment entered in the license, and shall be valid for such period as may be entered in it. Effect of special license.

8. Applications for special licenses for the transport of petroleum by rail or by road, or by both shall specify the description and quantity of petroleum to be transported, and the places from and to which, respectively, the petroleum is to be conveyed, and shall describe the receptacles in which it is to be contained. Particulars to be given in application for special licenses

9. General licenses in Form L to transport dangerous petroleum up to a maximum of sixty gallons at a time, otherwise than on a motor-vehicle, may be granted for a period of twelve months to owners of motor-vehicles holding licenses under rule 9, sub-rule (1), of Chapter IV of this Part, to possess petroleum and use or transport it on a motor-vehicle. Transport of dangerous petroleum by motor-vehicles otherwise than on a motor-vehicle.

## CHAPTER VI.—Fees.

1. (1) Where the proceeds of fees leviable for licenses under these rules have been assigned by the Resident in Mysore to any local authority the fees shall be levied in such manner as the local authority may from time to time direct. Method of levying fees.

(2) In all other cases the fees shall be paid in cash on receipt of a notice from the licensing authority that a license will be granted.

(3) The court-fee stamp of the value of eight annas representing the fee chargeable under Schedule II, Article 1 (b) of the Court Fees Act on an application for a license presented to a Magistrate should be attached to the application.

2. The following fees shall be charged for licenses for the possession of petroleum namely:— Fees for licenses for possession of petroleum.

### *Non-dangerous petroleum.*

	R
(a) When the quantity to be stored exceeds five hundred but does not exceed one thousand gallons.	12
(b) When the quantity to be stored exceeds one thousand but does not exceed five thousand gallons.	12 for the first one thousand gallons plus Rs 3 for every additional one thousand gallons or part thereof.
(c) When the quantity to be stored exceeds five thousand gallons, but does not exceed fifty thousand gallons	20 for the first five thousand gallons plus Rs 4 for every additional one thousand gallons or part thereof.
(d) When the quantity to be stored exceeds fifty thousand gallons.	250

*Dangerous petroleum.*

	R
(e) When the quantity to be stored does not exceed forty gallons.	3
(f) When the quantity to be stored exceeds forty gallons, but does not exceed five hundred gallons.	8
(g) When the quantity to be stored exceeds five hundred gallons.	the same fees as those laid down for non-dangerous petroleum.

ses for 3. The following fees shall be charged for licenses for the transport of petroleum:—

*Non-dangerous petroleum.*

Special license—	R
(a) When the quantity to be transported exceeds five hundred but does not exceed five thousand gallons.	1
(b) For every additional five thousand gallons or part of five thousand gallons	1
General license for the transport of non-dangerous petroleum by rail, or by road, for twelve months	100

*Dangerous petroleum.*

Special license—	R
(i) When the quantity to be transported does not exceed forty gallons.	2
(ii) When the quantity to be transported exceeds forty gallons but does not exceed four hundred and eighty gallons.	2 for the first 40 gallons plus 8 annas for every additional forty gallons or part thereof.
(iii) When the quantity to be transported exceeds four hundred and eighty gallons.	8 for the first four hundred and eighty gallons plus R2 for every additional four hundred and eighty gallons or part thereof.
General license for the transport of dangerous petroleum by the owner of a motor-vehicle by road, or rail, up to a maximum of sixty gallons at a time.	5
General license for the transport of dangerous petroleum by dealers by rail or road.	50

e 4. A fee of one rupee shall be charged for a new license for the unexpired  
ion of portion of an original license granted to any person applying for the same in  
ruec. accordance with the provisions of rule 8 of Chapter III of this Part.

ate 5. A fee of eight annas shall be charged for a duplicate of a license  
granted in accordance with the provisions of rule 9 of Chapter III of this  
Part.

## FORM A.

(Rule 2 of Chapter IV of Part II.)

License to possess petroleum (other than dangerous petroleum), otherwise than in bulk.

No.

Fee, R

License is hereby granted to \_\_\_\_\_ for the storage  
in the storage shed described below, of \_\_\_\_\_ gallons of petroleum  
subject to the rules for the storage of petroleum published in notification  
No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back  
of this license.

District Magistrate or authority  
appointed under rule 2 of Chapter III of Part II

The

19 .

(Description of the storage shed above referred to)

## [ ENDORSEMENT ON FORM A ]

*Conditions of the License*

If the licensing officer call on the holder of a license, by a notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The storage shed shall be constructed of masonry or other uninflammable material with terraced, tiled or iron roofs and with tiled or paved or earthen floors, but the beams, rafters, columns, windows and doors may be of wood.

3. Either the doorways and other openings of the storage shed shall be built up to a height of two feet above the level of the road or street, or the floor sunk to a depth of two feet below the level of the road or street, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both not less than two feet high. When the quantity of petroleum stored exceeds 10,000 gallons the height or depth shall be 3 feet.

A combination of these methods is permissible.

10. All ventilating openings in the storage shed shall be protected by strong wire gauze.

11. No light except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

12. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

13. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary, and shall prevent any other person from doing such act.

14. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

15. The following distances shall be kept clear from protected works round the storage shed :—

Quantity to be stored.		Distances to be kept clear.	
Not exceeding	500 gallons	.	20 feet
From	500 to 1,000	"	25 "
"	1,000 to 5,000	"	30 "
"	5,000 to 15,000	"	40 "
"	15,000 to 25,000	"	50 "
"	25,000 to 35,000	"	60 "
"	35,000 to 50,000	"	70 "
"	50,000 and over	"	100 "

Provided that these distances may be reduced by the Resident in Mysore on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there are special circumstances that in the opinion of the Chief Inspector of Explosives warrant the reduction.

16. Provided that when the quantity to be possessed does not exceed 60 gallons the provisions of conditions 8, 9 and 15 shall not apply, but the licensee shall observe the following conditions :—

- (c) The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of un inflammable material, provided however that the doors and windows may be of wood.

- (ii) Where a storage shed forms part of or is attached to another building and when the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed and no portion of such storage shed shall be used as a dwelling house or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

17. The storage shed shall be liable to inspection by an officer not being of lower rank than an Inspector of Police authorized by the Resident in Mysore in this behalf.

### FORM C.

(Rule 4 of Chapter IV of Part II.)

License to possess dangerous petroleum in quantity not exceeding forty gallons.

No.

Fee Rs.

License is hereby granted to \_\_\_\_\_ for the storage, in the storage shed described below, of \_\_\_\_\_ gallons of dangerous petroleum, subject to the rules for the storage of \_\_\_\_\_ petroleum published in notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license

District Magistrate or authority  
appointed under rule 2 of Chapter III of Part II.

The

19 .

(Description of the storage shed above referred to.)

#### [ENDORSEMENT OF FORM C.]

##### *Conditions of License.*

1. If the licensing officer call upon the holder of a license, by notice in writing, to execute any repairs of the storage shed, which may, in the opinion of such officer, be necessary for the safety of the shed, the holder of the license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

2. The license-holder is prohibited from delivering any quantity of dangerous petroleum exceeding three gallons to any one who has not a license under



section 5 or section 6 of the Act, or any less quantity of such petroleum, except in accordance with the conditions of the proviso to section 6 of the Act, as to the vessels in which the petroleum must be contained. ~

3. The petroleum shall be stored in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than ten gallons, and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch; provided that wood cases shall not be necessary when the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four gallons but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight gallons . . . . .	16 B. W. G.

4. An air-space of at least one-tenth of its capacity shall be left in each receptacle at the time of filling.

5. Receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of grave negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

6. The receptacles shall be labelled in accordance with the provisions of section 7 of the Act.

7. Any receptacle, before being repaired, shall be cleared of all dangerous petroleum and of all dangerous vapours arising from the same.

8. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of un inflammable material; provided, however, that the doors and windows may be of wood.

9. All ventilating openings in the storage shed shall be protected by strong wire gauze.

10. No light, except a light of such strength, position and character as is not liable to ignite any inflammable vapour, nor fire of any description, shall be permitted at any time within the storage shed.

11. All due precautions shall be taken for the prevention of unauthorised persons having access to any dangerous petroleum kept and to the vessels containing or having actually contained the same.

12. Every person managing or employed on or in connection with the storage shed shall abstain from any act whatever which tends to cause fire or

explosion and which is not reasonably necessary and shall prevent any other person from doing such act.

13. The drum or other receptacle containing dangerous petroleum shall only be opened on the licensed premises at or immediately adjoining the storage shed and for the time necessary for drawing off the petroleum, and during such drawing off every reasonable precaution shall be adopted for preventing the escape of dangerous petroleum or the vapour therefrom.

14. Where a storage shed forms a part of or is attached to another building, and where the intervening floor or partition is of an unsubstantial or inflammable character or has openings therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling or as a place where persons assemble. The storage shed shall have a separate entrance from the open air distinct from any building or dwelling in which persons assemble.

15. The storage shed shall be liable to inspection by an officer not being of lower rank than an Inspector of Police, authorized by the Resident in Mysore in this behalf.

#### FORM D.

##### (Rule 7 of Chapter IV of Part II)

License to possess petroleum, not being dangerous petroleum, in a major installation

No.	Fee, Rs
License is hereby granted to	for
the storage, in the place described below, of	
gallons of petroleum, not being dangerous petroleum, subject to the	
rules for the storage of petroleum published in notification No.	
dated	, and to the further conditions on the back of
this license.	

First Assistant Resident.

The

191 .

(Description of the place above referred to.)

#### [ ENDORSEMENT OF FORM D ]

##### *Conditions of License.*

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The inclosure thus formed shall be of dimensions sufficient to contain 10 per cent. more oil than the tank is capable of containing, and shall be so con-

structed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks \* may be situated within the wall or excavation, but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

2. In the case of all storage sheds within the installation, either the doorways and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

4. A distance of not less than one hundred feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred and fifty feet shall be kept clear between any storage tank or shed and any protected work.

6. The distances specified in conditions 4 and 5 may be reduced by the Resident in Mysore on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided, or other special precautions taken, or where there are special circumstances that, in the opinion of the Chief Inspector of Explosives, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes, shall be permitted within the installation except in the office, living quarters, engine room, boiler house and smithy.

### Form B.

(Rule 5 of Chapter IV of Part II.)

*License to possess petroleum, not being dangerous petroleum, in a minor installation.*

No.

Fee, R

License is hereby granted to \_\_\_\_\_ for  
the storage, in the place described below, of \_\_\_\_\_ gallons  
of petroleum, not being dangerous petroleum, subject to the rules for the

\* These tanks shall not have a greater capacity than 2500 gallons.

storage of petroleum published in notification No. , dated , and to the further conditions on the back of this license.

District Magistrate or authority appointed under rule 2 of Chapter III of Part II.

The

19 .

(Description of the place referred to.)

[ ENDORSEMENT ON FORM E. ]

*Conditions of License.*

1. Every tank of which the capacity exceeds fifteen thousand gallons shall either be separately surrounded by a wall or embankment of substantial construction, or shall be sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain the total quantity of oil capable of being contained in the tank and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. The space enclosed by such wall or excavation and not occupied by the tanks, shall be kept entirely clear and unoccupied.

2. The distance to be kept clear between a tank and the walls or embankments which surround it shall be, measuring from the ground level—

- (a) for horizontal tanks, not less than one-third the height of the tank ;
- (b) for perpendicular tanks, not less than one-half the height of the tank.

3. The height of walls or embankments surrounding the installation shall be not less than two feet six inches from the ground level.

4 The following distances shall be kept clear between protected works not forming part of the installation and the enclosure walls or embankments :—

Where the number of gallons stored is—	Distance to be kept clear
5,000 and under . . . . .	Not less than 15 feet.
Over 5,000 and up to 20,000 . . . . .	Ditto 20 „
Over 20,000 and up to 50,000 . . . . .	Ditto 30 „

Provided that these distances may be reduced by the Resident in Mysore on the recommendation of the Chief Inspector of Explosives in cases where screen walls are provided or other special precautions taken, or where there

are special circumstances which in the opinion of the Chief Inspector of Explosives warrant the reduction.

5. Soldering shall only be permitted in a separate room or building placed as far from the tanks as can be conveniently arranged, in which no storage or filling shall be permitted. No more tins shall be allowed in the soldering room at any one time than are necessary for expeditious working.

6. No fire or lights, except those necessary in the soldering room and watchman's house, shall be permitted.

7. If the installation contains tanks of which the capacity does not exceed fifteen thousand gallons, either—

(a) each tank shall separately be enclosed in the manner prescribed in condition 1, or

(b) the entire installation shall be surrounded by a masonry wall or embankment or a combination of these forming an enclosure of dimensions sufficient to contain, and prevent the overflow of, all the oil that may be stored at any one time within such walls or embankments.

8. In the case of all storage sheds within an installation, which is not surrounded by a masonry wall or embankment as provided in clause (b) of the condition 7, either the doorways and other openings of the building shall be built up to a height of two feet above the level of the ground outside it, or the floor sunk to a depth of two feet below the level of the ground, so that the petroleum cannot flow out from the building in case of its escape from the receptacle in which it is contained, or the building itself shall be surrounded with a masonry wall or embankment or both, not less than two feet high. When the quantity of petroleum stored exceeds 16,000 gallons the height or depth shall be three feet.

A combination of these methods is permissible.

## FORM F.

(Rule 9 of Chapter IV of Part II.)

Special license to possess and transport dangerous petroleum for owners of motor-vehicles.

No.	Free of charge.
License is hereby granted to	owner (or hirer) of
a motor-vehicle (or vehicles) for the possession of	gallons of
dangerous petroleum for use therein at*	and for its transport in the

said motor-vehicle (or vehicles) for the purpose of use therein, subject to the rules for the possession and transport of dangerous petroleum published in notification No. , dated , and to the conditions at the back of this license.

When the quantity exceeds 40 gallons . . . First Assistant Resident.

When the quantity does not exceed 40 gallons. . . District Magistrate or authority appointed under rule 2 of Chapter III of Part II.

The

19 .

[ ENDORSEMENT ON FORM F. ]

*Conditions of the License.*

1. The dangerous petroleum shall not be kept, used or transported except in gas-tight tinned or galvanized sheet iron, steel or lead plate drum or receptacles containing each not more than 4 gallons and fitted with well-made filling holes and well-fitting screw plugs, or fitted with screw cap or other cap with metal air-tight undercap. Such drums or receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch. Provided that wood cases shall not be necessary when the drums or receptacles are made of tinned or galvanized sheet iron, or steel, and have the following thickness of metal:—

	Not less than
(1) When the capacity does not exceed 2 gallons . . .	27 lb. W. G.
(2) When the capacity exceeds 2 gallons . . .	22 lb. W. G.

2. The drums or receptacles shall be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure.

3. Every such vessel, not forming part of a motor-vehicle, when used for transporting or keeping dangerous petroleum, shall bear the words " Dangerous Petroleum—Highly Inflammable " legibly and indelibly stamped or marked thereon, or on a metallic or enamelled label attached thereto.

4. An air-space of at least one-tenth of its capacity shall be left in each drum or receptacle at the time of filling to allow for expansion of the dangerous petroleum.

5. Before repairs are done to any such vessel, that vessel shall, as far as practicable, be cleaned by the removal of all dangerous petroleum and of all dangerous vapours derived from the same.

6. The storage shed in which the dangerous petroleum is stored shall be well ventilated and constructed of nonflammable material, provided, however, that the doors and windows may be of wood.

7. Where a storage shed forms part of, or is attached to, another building, and when the intervening floor or partition is of an unsubstantial or inflammable character, or has an opening therein, the whole of such building shall be deemed to be the storage shed, and no portion of such storage shed shall be used as a dwelling, or as a place where persons assemble. A storage shed shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble.

8. The amount of dangerous petroleum to be kept in any one storage shed whether or not upon motor-vehicles, shall not exceed sixty gallons at any one time.

9. The filling or replenishing of any vessels with dangerous petroleum shall not be carried on, nor shall the contents of any such vessel be exposed in the presence of fire or artificial light, except a light of such construction position and character as not to be liable to ignite any inflammable vapour and no artificial light shall be brought within dangerous proximity of the place where any vessel containing dangerous petroleum is being kept.

10. In the case of all dangerous petroleum kept or transported for the purpose of, or in connection with, any motor-vehicle, (a) all due precautions shall be taken for the prevention of accidents by fire or explosion and for the prevention of unauthorized persons having access to any dangerous petroleum kept or transported and to the vessels containing, or having actually contained, the same, and (b) every person managing or employed on or in connection with any motor-vehicle shall abstain from every act, whatever which tends to cause fire or explosion, and which is not reasonably necessary, and shall prevent any other person from committing such act.

11. The storage shed shall be liable to inspection by an officer not being of lower rank than an Inspector of Police, authorized by the Resident in Mysore in this behalf.

#### Form G.

#### (Rule I of Chapter V of Part II.)

General license to transport petroleum other than dangerous petroleum.

No.

Fee, Rs 100.

A general license is hereby granted to \_\_\_\_\_ to transport petroleum, other than dangerous petroleum, subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Resident's

notification No. \_\_\_\_\_, dated \_\_\_\_\_,

and to the condition at the back of this license.

This license shall continue in force till the

District Magistrate or other authority appointed  
under rule 2 of Chapter III of Part II.

The

19 .

[ENDORSEMENT ON FORM G.]

*Condition of the License.*

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or other receptacles not easily broken or in tank-carts of a pattern approved by the Resident in Mysore in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

FORM H.

(Rule 2 of Chapter V of Part II.)

General license to transport dangerous petroleum otherwise than in bulk.

No.

Fee, Rs50.

A general license is hereby granted to \_\_\_\_\_ to transport dangerous petroleum otherwise than in bulk, subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Resident's notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this license.

This license shall continue in force till the

When the quantity to be transported at a \_\_\_\_\_ First Assistant Resident  
time exceed 40 gallons.

When the quantity to be transported at \_\_\_\_\_ District Magistrate or other authority appointed  
a time does not exceed 40 gallons. \_\_\_\_\_ under rule 2 of Chapter III of Part II.

The

19 .

[ENDORSEMENT ON FORM H.]

*Conditions of License.*

1. The petroleum must be contained in gas-tight lined or galvanized sheet iron, steel, or lead plate receptacles containing each not more than forty gallons and fitted with well-made filling holes and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles



are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal :

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B. W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons . . . . .	16 B. W. G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B. W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B. W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

### FORM I.

#### (Rule 4 of Chapter V, Part II.)

Pass to be granted by the holder of General License No. \_\_\_\_\_ for the transport of dangerous petroleum, otherwise than in bulk subject to the rules contained in Chapter V of Part II of Resident's notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the back of this pass.

This pass covers ( drums containing) \*  
tins  
cases  
packages  
 gallons of dangerous petroleum being the  
non-dangerous property of \_\_\_\_\_ while in transport from  
 to \_\_\_\_\_

The

191 .

Holder of General License No

\* To be omitted when the petroleum is transported in bulk.

## [ENDORSEMENT ON FORM I]

*Conditions of Pass.*

I.—For dangerous petroleum in the case of the holder of a license in Form II.

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel or lead plate receptacles containing each not more than 40 gallons and fitted with well-made filling holes and well-fitting screw plugs or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch :

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel, and have the following thickness of metal :—

	Not less than
(1) When the capacity does not exceed two gallons. . . . .	27 B W. G.
(2) When the capacity exceeds two but does not exceed four gallons . . . . .	22 B. W. G.
(3) When the capacity exceeds four but does not exceed eight gallons . . . . .	20 B W. G.
(4) When the capacity exceeds eight but does not exceed twenty gallons. . . . .	18 B W G.
(5) When the capacity exceeds twenty but does not exceed thirty gallons . . . . .	14 B W. G.
(6) When the capacity exceeds thirty but does not exceed forty gallons . . . . .	12 B W. G.

2. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling

3. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

4. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles

II.—For dangerous petroleum in the case of the holder of a license in Form I.

1. The quantity of dangerous petroleum to be transported under this pass shall not exceed 60 gallons.

2. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than four gallons and fitted with well-made filling holes and well-fitting screw plugs

or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch:

Provided that wooden cases shall not be necessary where the receptacles are made of tinned or galvanized sheet iron or steel and have the following thickness of metal :—

	Not less than
(1) When the capacity does not exceed two gallons . . . . .	27 B. W. G.
(2) When the capacity exceeds two gallons . . . . .	22 B. W. G.

3. An air-space of at least one-tenth of its capacity must be left in each receptacle at the time of filling.

4. The receptacles must be so substantially constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective, leaky or insecure in transit.

5. The nature of the contents and the words "Highly inflammable" must be distinctly marked on the receptacles.

### III.—For petroleum other than dangerous petroleum.

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron, or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in Mysore in this behalf, or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

#### FORM J.

##### (Rule 5 of Chapter V of Part II.)

Special license to transport petroleum other than dangerous petroleum.

No. \_\_\_\_\_ Fee, Rs. \_\_\_\_\_

License is hereby granted to \_\_\_\_\_ to transport from  
to \_\_\_\_\_ \* (cases or packages containing)\*  
gallons of petroleum subject to the rules contained in Chapter V of Part II  
of \_\_\_\_\_ Resident's notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to  
the further condition on the back of this license.

The license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.

The

19 .

\* To be omitted when the petroleum is transported in bulk.

## [ENDORSEMENT ON FORM J.]

*Condition of the License.*

The petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron, or other receptacles not easily broken, or in tank-carts of a pattern approved by the Resident in Mysore in this behalf or in bottles securely stoppered and carefully packed so as to avoid risk of breakage.

## FORM K.

(Rule 6 of Chapter V of Part II.)

Special license to transport dangerous petroleum.

No. \_\_\_\_\_ Fee, Rs. \_\_\_\_\_

License is hereby granted to \_\_\_\_\_ of \_\_\_\_\_  
to transport \_\_\_\_\_ cases or packages containing in all \_\_\_\_\_  
gallons of dangerous petroleum from \_\_\_\_\_  
to \_\_\_\_\_,  
subject to the rules contained in Chapter V of Part II of \_\_\_\_\_ Resident's  
notification No. \_\_\_\_\_, dated \_\_\_\_\_, and to the further conditions on the  
back of this license.

The amount of petroleum in each case or package is stated below.

This license shall continue in force till the \_\_\_\_\_ day of \_\_\_\_\_

When the quantity exceeds 10 gallons \_\_\_\_\_ First Assistant Resident

When the quantity does not exceed 10 gallons. \_\_\_\_\_ District Magistrate or authority appointed  
under rule 2 of Chapter III of Part II.

The \_\_\_\_\_ 19 \_\_\_\_\_

## [ENDORSEMENT ON FORM K.]

*Conditions of License*

1. The petroleum must be contained in gas-tight tinned or galvanized sheet iron, steel, or lead plate receptacles containing each not more than 4 gallons and fitted with well-made filling bores and well-fitting screw plugs, or with screw cap or other cap with metal air-tight undercap. Such receptacles shall be packed in strong wooden cases, the thickness of the wood to be not less than three-eighths of an inch :

Provided that wooden cases shall not be necessary where the receptacles

each containing not more than one pound, of the nature described in, and labelled as required by rule 1 of Part V ; (ii) in any quantity exceeding five and not exceeding twenty-eight pounds where the following conditions are observed and the vessels containing it are labelled as required by rule 1 of Part V :—

- (a) the carbide shall be kept only in metal vessels hermetically closed at all times when the carbide is not actually being placed in or withdrawn from such vessels ;
- (b) the vessels containing carbide shall be kept in a dry and well ventilated place ;
- (c) due precautions shall be taken to prevent unauthorized persons from having access to the carbide ;
- (d) notice shall be given of such keeping to the licensing authority referred to in rule 8 of this Part, and free access shall be afforded to any duly authorised inspector to inspect the portion of the premises where the carbide is kept and the generator, if any, is situated.

Where a fixed generator is used on the premises :—

- (e) full and detailed instructions as to the care and use of the generator shall be kept constantly posted up in such place as to be conveniently referred to by the generator attendant.

Where it is desired to keep a greater quantity or where the above conditions cannot be complied with, application must be made to the licensing authority for a license.

3. Carbide of calcium in any quantity exceeding twenty-eight pounds may be kept only under a license to possess carbide of calcium granted under these rules. Every application for such a license shall be in Form A in the schedule, and, where the applicant proposes to engage in the manufacture of acetylene gas, the generating apparatus to be used by the licensee must, if manufactured in the Civil and Military Station of Bangalore and in the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, have been examined by such competent authority as the Resident in Mysore may from time to time specially authorize in this behalf, and certified by it to be suitable; or, if imported, must either have been so examined and certified or be a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.

4. Notwithstanding anything contained in rule 3 of this Part, carbide of calcium may with the special permission of the Resident in Mysore, and on

such conditions as may be fixed by him, be stored without a license in premises provided for the purpose.

*Note.*—This rule is intended to be applied only in the case of Port Trust and similar premises.

5. Carbide of calcium shall be stored,—

- (1) if in quantities aggregating not more than four hundred and fifty pounds—in a suitable uninhabited building at least twenty feet away from any other premises; provided that quantities not exceeding two hundred and twenty-five pounds may be stored in place connected with a shop at a distance of at least ten feet from other premises; Situation of storage buildings.
- (2) if in quantities aggregating more than four hundred and fifty pounds and not more than three thousand pounds—in a suitable uninhabited building at least forty feet away from any other premises;
- (3) if in quantities aggregating more than three thousand pounds and not more than fifty tons—in an uninhabited building at least one hundred feet away from any other premises.

Not more than fifty tons of carbide of calcium shall be stored in any one building.

6. Every building for the storage of carbide of calcium shall be—

- (a) constructed with stone, brick or iron walls, with terraced, tiled or iron roofs and with tiled, paved or cemented, or iron (or steel) floors raised at least a foot above the ground level; and Construction of storage buildings.
- (b) well ventilated and water-tight to the satisfaction of the licensing officer.

7. Carbide of calcium shall be stored only on racks or trestles standing at least one foot above the level of the ground, and no articles of an inflammable or combustible nature shall be kept in the same building. Arrangements in storage buildings.

8. Licenses to possess carbide of calcium shall be in Form B in the schedule, and may be granted by the District Magistrate or any Magistrate of the first class, or by such other officer as the Resident in Mysore may, from time to time, by an order in writing, appoint in this behalf. Licenses for possession.

9. Such licenses shall be in force for one year from the dates of issue: Continuance of license.

Provided that the licensing officer may, at any time, for good and sufficient reasons, cancel any such license.

10. The fee for a license to possess carbide of calcium shall be five rupees. Fee for license.

11. Every application for the renewal of a license to possess carbide of calcium shall be made in the same manner as an application for an original license.
12. Every such application shall be made at a date not less than fifteen days prior to the date on which the original license expires. The fee charged for the renewal of a license shall be three rupees.
13. Every retail vendor of carbide of calcium, selling any quantity exceeding half a pound to a purchaser, shall deliver it to him in an air-tight tin or drum, packed and marked in accordance with these rules, and bearing the name of the vendor plainly printed on the package.
14. Every retail vendor shall keep his carbide of calcium in a receptacle which can be easily opened and closed again so as to be air-tight, and shall open for the purposes of sale not more than one receptacle at a time.

### PART III—TRANSPORT OF CARBIDE OF CALCIUM.

1. No license shall be required for the transport of carbide of calcium in any quantity not exceeding five pounds if it is packed in separate vessels each containing not more than one pound, of the nature described in, and labelled as required by, rule 1 of Part V.
2. Carbide of calcium in any quantity exceeding five pounds may be transported only under a license to transport carbide of calcium granted under these rules, and shall not be deposited at any time during transit in any building other than a building fulfilling the requirements of rules 5 and 6 of Part II and shall not be stored in any such building except in accordance with the conditions as to storage prescribed by rule 7 of Part II.
3. Notwithstanding anything contained in rule 2 of this Part, carbide of calcium, while in the possession of a railway for transport, shall not be stored in any railway goods shed, but shall be stacked in the open under waterproof sheets and so placed as to prevent its getting wet.
4. All lights shall be kept away from carbide of calcium stacked as provided in rule 3 of this Part.
5. If any carbide of calcium is wetted while in the possession of a railway for transport it shall be destroyed by immersion in at least twenty times its bulk of water.

*Note.*—The fact of carbide of calcium having become wet will be indicated by the outward appearance of the drum, and probably by a disagreeable odour, showing a leakage of gas.

6. (1) Where carbide of calcium is transported by passenger train, no quantity exceeding four hundred and fifty pounds shall be carried by any one

train and the vehicles shall be well ventilated and as far as possible water-tight.

(2) In no circumstances shall a naked lamp or other unprotected artificial light be taken into a waggon, vessel or conveyance containing carbide of calcium.

7. Licenses to transport carbide of calcium shall be either general or special in Form C or Form D in the schedule, and may be granted by the District Magistrate or any Magistrate of the first class, or by such other officer as the Resident in Mysore may, from time to time, by an order in writing, appoint in this behalf. Transport licenses.

8. A general license to transport carbide of calcium may be granted only to a person who holds an annual license to possess a quantity exceeding four hundred and fifty pounds of carbide of calcium. Grant of general transport license.

9. A special license to transport carbide of calcium may be granted to any person for a particular consignment at the discretion of the licensing officer. Grant of special transport license.

10. The fee for a general license to transport carbide of calcium shall be three rupees. Fee for general transport license.

11. An application for a general license to transport carbide of calcium shall state— Application for general transport license.

(a) the number and date of the license to possess carbide of calcium held by the applicant ; and

(b) the period of currency of that license.

12. A general license to transport carbide of calcium shall be in force for not more than one year, and shall in no case remain in force after the date on which the license to possess carbide of calcium held by the applicant expires. Continuance of general transport license.

13. An application for special license to transport carbide of calcium shall state— Application for special transport license.

(a) the place from which the carbide of calcium is to be transported ;

(b) the place to which it is to be transported ;

(c) the number of drums or cases ;

(d) the quantity in each drum or case ;

(e) the name and address of the consignee ;

(f) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported ; and

(g) the date on which it is proposed to despatch the consignment.

14. A special license to transport carbide of calcium shall be in force for such period, not exceeding one month from the date of the grant of the license, as may be specified on the same. Continuance of special transport license.



15. The fee for a special license to transport carbide of calcium shall be one rupee.

16. The holder of a general license to transport carbide of calcium shall, with each consignment conveyed under cover of his license, issue a pass in Form E in the schedule specifying—

- (a) the places from and to which the carbide of calcium is to be transported ;
- (b) the quantity of carbide of calcium covered by the pass ;
- (c) the name and address of the consignee ; and
- (d) whether the consignee has a license to possess carbide of calcium sufficient to cover the amount transported.

17. Carbide of calcium may be transported within the Civil and Military Station of Bangalore and the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government under cover of any license granted by the prescribed authority in any province in British India, provided that the conditions of such license are observed throughout the period during which the carbide of calcium is in transit.

#### PART IV.—OF INSPECTION.

1. The District Magistrate or any Magistrate subordinate to the District Magistrate appointed by him in this behalf by order in writing, or any police officer of or above the rank of Inspector appointed by the District Magistrate in this behalf by order in writing, or any other officer appointed by the Resident in Mysore in this behalf, may at any time enter any premises in respect of which a license to possess carbide of calcium has been granted, for the purpose of inspecting the same.

2. Any officer so inspecting may require a sample or samples to be delivered to him from any drum or case of carbide of calcium stored in the premises inspected.

3. The licensee of any premises inspected shall personally or through a representative show to the officer so inspecting every place and every vessel in which carbide of calcium in his possession is kept, deliver any samples required, and give such assistance as the officer may require.

4. Where a license to transport carbide of calcium has been granted, any officer authorized under rule 1 of this Part may, at any time and on or before the arrival of the carbide of calcium at its destination, board any ship, or detain any conveyance, used for such transport, for the purpose of inspecting the license granted for the transport of the consignment or the pass issued by the licensee and seeing whether the provisions of these rules and the license have been complied with.

## PART V.—GENERAL

## 1. Where carbide of calcium—

Description and  
marking of vessels.

- (a) is imported or kept at any place after seven days from the date of its importation, or
- (b) is transported, or
- (c) is sold or exposed for sale,

it shall be contained in substantial hermetically closed metal vessels, each containing not more than two hundred and twenty-four pounds, having no copper in their construction and having attached to them labels stating in conspicuous characters the words—"Carbide of calcium—dangerous if not kept dry," together with the following caution :—

*"The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas,"*

and with the addition,—

- (d) in the case of a vessel kept, of the name and address of the consignee or owner ;
- (e) in the case of a vessel transported, of the name and address of the sender ; and
- (f) in the case of a vessel sold or exposed for sale, of the name and address of the vendor.

2. A licensing officer may, for reasons to be reported to the Resident in Mysore, refuse a license in any case, the reasons for refusal being communicated to the applicant if a request to that effect is preferred by him ; and the Resident in Mysore may, on receipt of such report, and of any representation made to him by the applicant, pass such orders on the case as he thinks fit.

2. Any explosion or accident occurring in connection with the importation, transport, possession, or sale of carbide of calcium shall be reported by the person in charge of the same for the time being without delay at the nearest police station.

4. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license. Such new license shall be granted on payment of one rupee.

5. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of eight annas.

6. The fees chargeable under these rules shall ordinarily be levied by means of impressed stamps. An application for the grant or the renewal of a license shall bear the proper stamp: provided, that, if the application is refused, the value of the separate stamp (if any) which may have been already provided by the applicant for the desired license or renewed license, *minus* the reductions prescribed by section 54 of the Indian Stamp Act, 1899 (II of 1899), as applied to the Civil and Military Station of Bangalore, may be refunded to the applicant. An application should not be made on the stamped paper intended for the license or renewed license; but where this has been wrongly done, the value of the stamp may be refunded *minus*—

(i) the value of the stamp which should have been affixed to the application, and

(ii) the deductions prescribed as aforesaid.

Where the fees leviable under these rules have been made over to any Local body, the fees shall be paid in such manner as that Local authority may from time to time direct.

7. Any person holding a license or acting under a license granted under these rules shall be bound to produce the same when called upon to do so by any Magistrate or Police officer of or above the rank of an officer in charge of a police station.

### THE SCHEDULE.

#### FORM A.

REGD. No.

Application to the

of

for a license to possess carbide of calcium.

Name in full of applicant with particulars of his residence.  
If a firm or company, its name or that of its Agent or Secretary.

Situation of building for which the license is required.

Quantity to be covered by license.

Is the carbide for use or for sale unopened in the vessels in which it is received, and, if not, what will be done with it?

In what vessels will the carbide be kept, what is the capacity of the same, how are they closed against moisture, and of what material are they made?

FORM A—*contd.*

In what part of the building will the carbide be kept?  
 How are the premises constructed?  
 Are the premises used for other purposes, and, if so, for what purposes?

Is the carbide to be used for the manufacture of acetylene gas?  
 How is the generator constructed, and what is its capacity? Give sketch  
 Give particulars as to the building in which the generator will be placed, and state whether it is detached from other buildings, and whether it is used for other purposes?  
 How is it proposed to dispose of the residue?  
 Will the generator be in the sole charge of a person competent to manage it?

*Signature of Applicant.*  
*Postal address.*

*Dated*

## FORM B.

No.

A license to possess not more than \_\_\_\_\_ pounds of carbide of calcium at any one time in the building described on the reverse is hereby granted to \_\_\_\_\_, subject to the rules and conditions endorsed hereon. This license shall continue in force till, and become void after, the \_\_\_\_\_

(Description of the building referred to to be on the back of this license.)

*Signature*  
 \_\_\_\_\_ of \_\_\_\_\_  
*Dated* 19 .

## ENDORSEMENT ON FORM B.

*Rules.*

[Here enter rules 1, 2, 3, 5 to 14 of Part II, 1 to 3 of Part IV, and 1 to 7 of

## Part V.]

*Conditions.*

This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore and to the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government and the above-mentioned rules for the possession and sale of carbide of calcium made thereunder.

2. If the licensing officer or any officer appointed under rule 1 of Part IV calls on the license-holder by notice in writing, to execute any repairs to the building licensed which may in the opinion of such officer be necessary for the safety thereof, the license-holder shall execute the repairs within such period

not being less than one week from the date of receipt of the notice, as may be fixed by the notice.

3. Subject to the provisions of rule 2 of Part II, the licensee shall not deliver any quantity of carbide of calcium\* exceeding twenty-eight pounds to any one who has not a license under section 11 of the Act or any quantity of such carbide of calcium exceeding half a pound, except in accordance with the rules as to the manner in which carbide of calcium is to be packed.

4. Vessels containing carbide of calcium shall be opened only for the time necessary for the removal of any quantity of carbide of calcium or for the refilling of other vessels. During such removal or refilling every reasonable precaution shall be adopted for preventing moisture being brought into contact with the carbide of calcium, as well as for guarding against the risk of ignition of any gas which may be liberated.

5. Every storage vessel of a greater storage capacity than two pounds shall be secured with a lock or be kept in a locked receptacle, so as to prevent unauthorised persons having access to the contents.

6. Due precaution shall at all times be taken for the prevention of accidents from fire, and no smoking, light, or fire in any form shall be permitted at any time within or near the building in which the carbide of calcium is stored.

7. If carbide of calcium is used for the manufacture of acetylene gas, the following precautions for ensuring safety shall be adopted :—

- (a) The apparatus used must, if manufactured in the said Civil and Military Station and Railway lands, have been examined by\* ———— and certified by it to be suitable, or, if imported, either have been so examined and certified or be of a type approved by the Committee on Acetylene Generators appointed by the Department of His Majesty's Inspector of Explosives, London.
- (b) Every apparatus for generating and storing acetylene gas, other than a portable apparatus holding a charge of less than two pounds of carbide of calcium, shall be placed in an outbuilding which shall be separated as far as may be practicable from any inhabited building and shall be well ventilated.
- (c) No fire or such artificial light as would ignite inflammable gas shall be taken into or near the building, in which a gas-making apparatus is placed.

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\* *Id.* Rule 3 of Part II.

8. Every apparatus (including generator and gas-holder) used for the manufacture of acetylene gas shall, as far as practicable, be constructed and used so as to provide against special risk, that is to say :—

- (a) Copper shall not be used in any part of the apparatus.
- (b) The various parts shall be of adequate strength.
- (c) The escape of gas from the apparatus shall be carefully guarded against.
- (d) Satisfactory provision shall be made against the dangerous development of heat.
- (e) Satisfactory provision against undue pressure shall be made by the employment of an adequate safety valve connected with a pipe discharging into the open air, and a suitable pressure gauge shall be attached to the apparatus.
- (f) Provision shall be made for the residue of the carbide of calcium being mixed with at least ten times its bulk of water on being removed from the apparatus.
- (g) No person shall have charge of an apparatus unless he has been properly instructed in its management.

### FORM C.

No.

A general license to transport \_\_\_\_\_ pounds  
of carbide of calcium by rail, by road or by water,  
\_\_\_\_\_, is hereby granted to \_\_\_\_\_, subject  
to the rules and conditions endorsed hereon.

This license shall continue in force till, and become void after,  
the \_\_\_\_\_

*Signature.*

*Dated the* \_\_\_\_\_ *19* \_\_\_\_\_ *of* \_\_\_\_\_.

[ ENDORSEMENT ON FORM C ]

### *Rules*

[ Here enter rules 1, 2, 6 to 8, 10 to 12 and 16 of Part III, rule 4  
of Part IV, and rules 1 to 7 of Part V. ]

### *Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum  
Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of \_\_\_\_\_.

Bangalore and to the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government and the above-mentioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

#### FORM D.

No.

A special license to transport \_\_\_\_\_ pounds  
of carbide of calcium from \_\_\_\_\_ to \_\_\_\_\_ is  
hereby granted to \_\_\_\_\_, subject  
to the rules and conditions endorsed hereon, and by the following route,  
namely:—

The weight of carbide of calcium in each package shall not exceed \_\_\_\_\_  
This license shall continue in force till, and become void after, the  
day of \_\_\_\_\_ 19 \_\_\_\_.

*Signature.*

*Dated the* \_\_\_\_\_ *19* \_\_\_\_ *of* \_\_\_\_\_

[ ENDORSEMENT OF FORM D. ]

#### *Rules.*

[ Here enter rules 1, 2, 6, 7, 9, and 13 to 15 of Part III, rule 4  
of Part IV, and rules 1 to 7 of Part V. ]

#### *Conditions.*

1. This license is given subject to the provisions of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore and to the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government and the above-mentioned rules for the transport of carbide of calcium made thereunder.

2. Where the carbide of calcium is conveyed by steamer, it shall be stowed in any such part of the steamer and in such manner as may be approved by the licensing officer.

3. Where the carbide of calcium is conveyed by rail, it shall be subject to all the regulations which may, from time to time, be prescribed generally or specially in that behalf by the railway authority of the line over which it is conveyed.

### FORM E.

No.

This pass covers \_\_\_\_\_ packages containing \_\_\_\_\_ pounds of carbide of calcium being the property of (*consignee's name*) \_\_\_\_\_ while in transport from \_\_\_\_\_ to \_\_\_\_\_

The said (*consignee's name*) \_\_\_\_\_ has a license to possess carbide of calcium sufficient to cover the amount above mentioned.

Dated the \_\_\_\_\_ 19 \_\_\_\_ .

Holder of General license No. \_\_\_\_\_

[ *Gazette of India*, 1907, Pt II, p. 1111. ]

No. 64, dated the 4th October 1909.—Under the provisions of section 12 of the Indian Petroleum Act, 1899 (VIII of 1899), as in force in the Civil and Military Station of Bangalore and the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, the Honourable the Resident in Mysore is pleased to vest the officers named below with the powers conferred by that section, within the areas respectively specified against each :—

Conferment of power under section 12

Officers.	Areas
(1) The Chief Inspector and Inspectors of Explosives.	In all parts of the Civil and Military Station of Bangalore and on the Railways.
(2) _____	
(3) _____ Civil and Military Station of Bangalore.	
(4) The Inspector of Police.	Within the areas respectively subject to their jurisdiction.
(5) All Magistrates subordinate to the District Magistrate.	

[ *Gazette of India*, 1909, Pt. II, p. 1610. ]



of  
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carbide

No. 1287-I. A., dated the 10th April 1907.—In exercise of the powers conferred by section 22 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore and to the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, the Governor-General in Council is pleased to apply to carbide of calcium the provisions of sections 8 to 15, 17, 18, 23 and 24 of the said Act as so applied and to prescribe that for the quantity of petroleum mentioned in section 11 of the same Act such quantity or quantities of carbide of calcium shall be substituted as may be prescribed by the rules for the time being in force relating to the possession and transport of carbide of calcium.

[ *Gazette of India*, 1907, Pt. I, p. 271. ]

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No. 2671-I.A., dated the 12th March 1908.—In exercise of the powers conferred by section 23 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore, the Governor-General in Council is pleased to limit the operation of the Bangalore Municipal Law, 1897,<sup>1</sup> in so far as it relates<sup>2</sup> to the possession or transport of petroleum to the following quantities:—

In the case of petroleum not being dangerous petroleum, to quantities not exceeding 500 gallons.

In the case of dangerous petroleum, to quantities not exceeding 3 gallons, provided such petroleum is placed in separate glass, stoneware or metal vessels, each of which contains not more than a pint and is securely stopped.

[ *Gazette of India*, 1908, Pt. I, p. 204. ]

No. 533-I. A., dated the 8th February 1907.—In exercise of the powers conferred by section 24, sub-section (1) of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore and to the Railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, the Governor-General in Council is pleased to direct that drafts of rules which it may be proposed to make under the said Act as so applied shall be published—

(a) when the authority making the rules is the Resident in Mysore, in one issue of Part II of the *Gazette of India*; and

<sup>1</sup> Printed Vol. I, p. 418.

<sup>2</sup> Cf. sections 103 and 111.

(b) when the authority making the rules is the Governor-General in Council, in one issue of Part I of the *Gazette of India*.

[ *Gazette of India*, 1907, Pt. I, p. 91. ]

Church of Scotland  
Kirk Sessions Act,  
1899.

No. 3776-I. A., dated the 24th August 1900.—In exercise of the powers conferred by section 2, sub-section (2), of the Church of Scotland Kirk Sessions Act, 1899 (XXIII of 1899), as applied to the Civil and Military Station of Bangalore, by the<sup>1</sup> notification of the Government of India in the Foreign Department, No. 3775-I. A., dated the 24th August 1900, the Governor-General in Council is pleased to notify that the Kirk Session of the Church of Scotland at present existing in the said station has been duly constituted for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland.

Constitution of the  
Kirk Session in the  
Civil and Military  
Station.

[ *Gazette of India*, 1900, Pt. I, p. 525. ]

No. 612-I. B., dated the 24th March 1900.—In exercise of the powers conferred by<sup>2</sup> section 3 of the Bangalore Prisoners Law, 1900, the Governor-General in Council is pleased to make the following order :—

Prisoners Act, 1900.

#### ORDER.

Any European or Eurasian prisoner sentenced to imprisonment for a term exceeding one month, whose detention in the Bangalore Central Jail is deemed inexpedient, may be removed by order of the Resident in Mysore to the Central Jail at Vellore.

a Removal of European  
and Eurasian  
prisoners.

[ *Gazette of India*, 1910, Pt. I, p. 260. ]

No. 12, dated the 27th February 1913 —In exercise of the powers conferred by sections 2, 4, and 10 (2) of the Poisons Act, 1904 (I of 1904), as applied to the Civil and Military Station of Bangalore, the Honourable the Resident in Mysore is pleased to make the following rules to regulate the possession for sale and the sale of certain poisons specified in the said rules in the said Civil and Military Station.

Poisons Act, 1904.

#### Rules

I. The following poisons shall be deemed to be poisons for the purposes of these rules: Aconite, Nux Vomica, Perchloride of Mercury (Corrosive Sublimate), Cyanide of Potash, Stramonium (*Datura*), Arsenic and Sul-

Rules

<sup>1</sup> See now notification No 732 D., dated the 19th March 1913, paragraph II of which keeps this notification in force.—Printed Vol I, p. 390

<sup>2</sup> See now section 29 of the Prisoners Act, 1900, as applied by the notification cited above, paragraph II of which keeps this notification in force.

phides of Arsenic, *i.e.*, Red Sulphide (Realgar), Yellow Sulphide (Orpiment) and Chloroform and its preparations used for the purpose of *anæsthetising*.

The expression "sell" and "sale" mean respectively "sell by retail" and "sale by retail."

II. No person shall possess any poison specified in rule 1 for sale except under a license granted in this behalf by the District Magistrate, and no person not possessing any such license shall sell any such poison.

III. The grant and withdrawal of a license to any applicant shall be at the discretion of the District Magistrate whose decision thereon shall be final. The license shall be granted for the calendar year.

IV. A fee of Re. 1 per annum shall be charged for each license granted under rule II and shall be paid before the grant of such license. The license shall be inscribed on a non-judicial impressed stamped paper of the appropriate value.

V. A license shall terminate on the death of the license-holder.

VI. The District Magistrate may for any sufficient cause revoke or cancel any license granted under rule II.

VII. A license-holder shall effect every sale of poison in person.

VIII. A license-holder shall not sell any poison to any person unless the latter is personally known to him or identified to his satisfaction. He shall not sell any poison to any person who appears to him to be under the age of 18 years or to any person who does not appear to him to be in full possession of his faculties, or to any wandering mendicant.

IX. A license-holder shall not sell any poison of a quantity exceeding one ounce at any one time to any one person.

X. A license-holder shall maintain a register in which he shall enter all sales of poison. The following particulars shall be entered in such register in respect of each sale, *viz.*—

- (a) Serial number.
- (b) Name of poison.
- (c) Quantity sold.
- (d) Date of sale.
- (e) Name of purchaser.
- (f) Address of purchaser.
- (g) Purpose for which the poison is stated to be required.
- (h) Signature of purchaser (or where purchaser is illiterate, his thumb-mark).
- (i) Signature of vendor.

XI. A license-holder shall maintain in respect of each poison specified in rule I a stock register which shall contain the following particulars :—

- |  |                       |
|--|-----------------------|
| (a) Serial number.                                 | (e) Quantity sold.    |
| (b) Date.  | (f) Balance in stock. |
| (c) Quantity received.                             | (g) Remark.           |
| (d) Name and address of person from whom received. |                       |

XII. Any Magistrate or police officer of or above the rank of Sub-Inspector, any revenue officer of, or above, the rank of Amildar, or any medical officer of or above the rank of Sub-Assistant Surgeon may at any time visit and inspect the premises of a license-holder where poison is kept for sale and may inspect all poisons found therein and the registers maintained under rules X and XI.

XIII. All poisons specified in rule I shall be kept in a separate locked almirah or box which shall have the word "poison" in English and vernacular painted on it in conspicuous red letters. Each small receptacle within such almirah or box shall be marked in paint with the name of the poison contained in it and shall also have the word "poison" in English and vernacular painted upon it in red letters. All poisons should be kept in blue bottles or else a skull and cross bones mark should be put on the receptacles.

XIV. No poison shall be kept otherwise than in securely closed receptacles of glass, tin or earthenware.

XV. When any poison is sold it shall be securely packed in a packet and every packet sold shall be labelled by the vendor with a red label bearing the name of the poison in the vernacular and the number and date of the entry in the register of sales.

XVI. A license-holder shall not sell powdered white arsenic to any person unless the same is, before the sale thereof, mixed with soot, indigo, or Prussian blue in the proportion of half an ounce of soot, indigo, or Prussian blue at least to one pound of the white arsenic and so in proportion for any greater or less quantity.

Provided that where such arsenic is stated by the purchaser to be required for some purpose for which such admixture would, according to the representation of the purchaser, render it unfit, the license-holder may sell such arsenic, without such admixture, in a quantity of not less than ten pounds at any one time.

XVII. When a license-holder also deals in poisons wholesale, the stock maintained for sale as defined in these rules shall be kept entirely distinct from any stock maintained for the purpose of wholesale transactions.

XVIII. The provisions of rules X to XVI of these rules shall apply in the case of medical or veterinary practitioners, chemists or druggists vending poisonous drugs specified in rule I.

[*Gazette of India*, 1913, Pt. II, p. 424.]

No. 73, dated the 8th October 1913.—Not reprinted.

99, 9th September

[*Gazette of India*, 1912, Pt. II, p. 1614.]

p. 1916.

No. 1, dated the 9th January 1912.—The Resident is pleased to authorise the Agent of the Bangalore Bank, Limited, to cut or break counterfeit silver coin under the provisions of section 20 of the Indian Coinage Act, 1906 (No. III of 1906), as applied to the Civil and Military Station of Bangalore.

[*Gazette of India*, 1912, Pt. II, p. 45.]

No. 192, dated the 10th December 1908.—By virtue of the provisions of section 51 of the Provincial Insolvency Act, 1907, as applied to the Civil and Military Station of Bangalore by Foreign Department Notification No. 3480-I. A., dated 25th August 1908, the Court of the Resident in Mysore has, with the previous sanction of the Local Government, made the following rules for carrying into effect the provisions of the said Act.

I. These rules may be called "the Bangalore Insolvency Rules, 1909,"

and shall apply to all proceedings under the

Title and application

Provincial Insolvency Act, 1907, as applied to

the Civil and Military Station of Bangalore in any Court subordinate to the Court of the Resident in Mysore. They shall come into force on the 1st day of January 1909 and shall apply to all proceedings thereafter instituted and, as far as may be, to all proceedings then pending.

II The forms mentioned in these Rules are the forms in the Appendix

Forms

hereto annexed and shall be used with such variations as circumstances may require.

Definitions

III. (1) In these Rules, unless there is anything repugnant in the subject or context,

"the Act" means the Provincial Insolvency Act, 1907, as applied to the Civil and Military Station of Bangalore.

"the Court" includes a Receiver when exercising the powers of the Court in accordance with section 52 of the Act;

<sup>1</sup> Superseded by notification No. 732 II, dated the 19th March 1913, paragraph II of which keeps this notification in force.—Printed Vol. I, p. 393.

"Receiver" means a Receiver appointed by the Court under section 18 (1) of the Act;

"Interim Receiver" means a Receiver appointed by the Court under section 18 (2) of the Act;

"proved debt" means the claim of a creditor so far as it has been admitted by the Court.

(2) Save as otherwise provided all words and expressions used in these Rules shall have the same meaning as those assigned to them in the Act.

IV. (1) Every petition, application, affidavit or order in any proceeding under the Act or under these Rules shall be  
 — Cause-title and number. headed by a cause-title in Form No. 1.

(2) When an insolvency petition is admitted, the chief ministerial officer of the Court shall assign a distinctive serial number to the petition and all subsequent proceedings on the petition shall bear that number.

V. (1) When an insolvency petition presented by a creditor is admitted  
 Creditor to furnish copies of his the creditor shall within seven days thereafter  
 petition. furnish a copy of the petition for service on the debtor or, if there are more debtors than one, as many copies as there are debtors, and the chief ministerial officer of the Court shall sign the copy or copies if on examination he finds them to be correct.

(2) The copy shall be served together with the notice of the order fixing the date for hearing the petition on the debtor or upon the person upon whom the Court orders notice to be served.

Particulars in debtor's petition. VI. The particulars to be given under section 11 (1) of the Act shall be in Form No. 2.

VII. If a debtor against whom an insolvency petition has been admitted  
 Death of debtor before hearing dies before the hearing of the petition, the Court  
 of petition. may order that notice of the order fixing the date for hearing the petition shall be served on his legal representative or on such other person as the Court may think fit in the manner provided for the service of summons.

VIII. (1) Unless otherwise ordered all claims shall be proved by  
 Proof of debts. affidavit in Form No. 3 in the manner provided in section 25 of the Act, provided that before admitting any claim the Court may call for further evidence.

(2) The affidavit may be made by the creditor or by some person authorised by him, provided that, if the deponent is not the creditor, the affidavit shall state the deponent's authority and means of knowledge.

(3) As soon as may be after proof of any debt is tendered the Court shall by order in writing admit the creditor's claim in whole or in part or reject it provided that when a claim is rejected in whole or in part the order shall state briefly the reasons for the rejection.

(4) A copy of every order rejecting a claim or admitting it in part only, shall be sent by the Court by registered post to the person making the claim within seven days from the date of the order.

IX. As soon as the schedule of creditors has been framed a copy thereof shall, if a Receiver has been appointed, be supplied to him, and all subsequent entries and alterations made therein shall be communicated to the Receiver.

X. (1) If a debtor submits a proposal under section 27 (1) of the Act, the Court shall fix a date for the consideration of the proposal and notice thereof together with a copy of the terms of the proposal shall be sent to every creditor who has proved.

(2) At the meeting for the consideration of the proposal the debtor shall be entitled to address the Court in person or by pleader in support of the proposal and every creditor who has proved shall be entitled in person or by pleader to question the debtor and to address the Court.

XI. (1) Every Receiver or *interim* Receiver other than an Official Receiver shall be required to give such security as the Court thinks fit.

(2) The Court shall not require an Official Receiver to give such security.

XII. (1) The Court may remove or discharge any Receiver other than an Official Receiver, and any Receiver or *interim* Receiver so removed or discharged shall, unless the Court otherwise orders, deliver up any assets of the debtor in his hands and any books, accounts or other documents relating to the debtor's property which are in his possession or under his control to such person as the Court may direct.

(2) If an order of adjudication is annulled, the Receiver (if any) shall unless the Court otherwise orders, deliver up any assets of the debtor in his hands and any books, accounts or other documents relating to the debtor's property which are in his possession or under his control to the debtor or to such other person as the Court may direct.

XIII. Every Receiver or *interim* Receiver shall be deemed for the purpose of the Act and of these rules to be an officer of the Court.

Application by Receiver, or *interim* Receiver.

XIV. (1) Every application to the Court made by a Receiver or an *interim* Receiver shall be in writing.

(2) The Court may order that notice of any application by the Receiver and of the date fixed for the hearing of the application shall be sent by registered post to all creditors who have proved.

XV. (1) The remuneration of Receivers other than Official Receiver shall be in such proportion to the amount of the dividends distributed as the Court may direct provided that it does not exceed five *per centum* of the amount of the dividends.

(2) If a Receiver other than the Official Receiver has been appointed in an insolvency in which the Court makes an order approving a proposal under section 27 (7) of the Act, the remuneration to be paid to the Receiver shall be fixed by the Court, and the order approving the proposal shall make provision for the payment of the remuneration and shall be subject to the payment thereof.

XVI. (1) Unless the Court otherwise directs, the Receiver shall as soon as may be after his appointment draw up a report upon the cause of the debtor's insolvency, the conduct of the debtor so far as it may have contributed to his insolvency and also his conduct during the insolvency proceedings in all matters connected with such proceedings, and in particular such report shall state (a) whether the value of the debtor's assets is less than half his unsecured liabilities and, if so, whether that fact is due to circumstances for which the debtor cannot justly be held responsible, (b) whether the debtor has omitted to keep such books of account as are usual and proper in the business carried on by him and as sufficiently disclose his business transactions and financial position within the three years immediately preceding his insolvency, (c) whether the debtor has continued to trade after knowing himself to be insolvent, (d) whether the debtor has contracted any debt provable under the Act without having at the time of contracting it any reasonable or probable ground of expectation that he would be able to pay it, (e) whether the debtor has failed to account satisfactorily for any loss of assets or for any deficiency of assets to meet his liabilities, (f) whether the debtor has brought on, or contributed to, his insolvency by rash and hazardous speculations or by un-



justifiable extravagance in living or by gambling or by culpable neglect of his business affairs, (g) whether the debtor has within three months preceding the date of the presentation of the petition when unable to pay his debts as they became due given an undue preference to any of his creditors, (h) whether the debtor has on any previous occasion been adjudged an insolvent or made a composition or arrangement with his creditors, and (i) whether the debtor has concealed or removed his property or any part of it or has been guilty of any other fraud or fraudulent breach of trust.

(2) If the debtor submits a proposal under section 27 (1) of the Act, the Receiver shall state in his report whether in his opinion the proposal is reasonable and is likely to benefit the general body of the creditors and shall state the reasons for his opinion.

XVII. Unless the Court otherwise directs, the debtor shall furnish the Receiver or, if a Receiver has not been appointed, the Court, with a trading account, and an account showing all monies and securities paid, disposed of or encumbered, or recovered by or from the debtor or on his account and his income and the source thereof for such period as the Receiver or, if a Receiver has not been appointed, the Court may direct, provided that the Receiver shall not without the previous sanction of the Court direct the debtor to furnish accounts for more than two years before the date of the presentation of the insolvency petition.

XVIII. The Receiver shall keep a cash book and such books and other papers as are necessary to give a correct view of his administration of the estate; and shall submit his accounts at such times and in such forms as the Court may direct. Such accounts shall be audited by such person or persons as the Court may direct. The costs of the audit shall be fixed by the Court and shall be paid out of the estate.

XIX. (1) No dividend shall be distributed by a Receiver without the previous sanction of the Court.

(2) An order shall not be made under section 39 (5) of the Act without giving a Receiver opportunity to show cause why the order should not be made.

XX. (1) An application for discharge shall not be heard until after the schedule of creditors has been framed.

(2) Every creditor who has proved shall be entitled in person or by pleader to appear at the hearing and oppose the discharge provided that he has

served upon the insolvent and upon the Receiver (if any) not less than 7 days before the date fixed for the hearing a notice stating the grounds of his opposition to the discharge.

(3) A creditor who has not served the prescribed notices shall not, unless the Court otherwise directs, be permitted to oppose the discharge of the debtor; and a creditor who has served the prescribed notices shall not be permitted, unless the Court otherwise directs, to oppose the discharge on any ground not specified in the notice.

(4) At the hearing of the application the Court may hear any evidence which may be tendered by a creditor who has served the prescribed notices, or by the Receiver, and also any evidence which may be tendered on behalf of the debtor and shall examine the debtor, if necessary, for the purpose of explaining any evidence tendered and may hear the Receiver, the debtor, in person or by pleader, and any creditor, in person or by pleader, who has served the prescribed notice.

XXI. (1) The notices to be given under sections 12 (2), 16 (7), 27 (1), 39 (4), 42 (3) and 44 (1) of the Act shall be published in the *Gazette of India* in English and, if the Court so directs, in one English and one Vernacular newspaper, and copies of the notices in English and in the language of the Court shall be affixed to the notice-board of the Court.

(2) The notices to be given under sections 12 (2), 27 (1), 39 (4) and 44 (1) of the Act shall be published and affixed in the manner provided in paragraph (1) of this rule not less than 14 days before the date fixed for the hearing of the application, the consideration of the proposal, the limit of time fixed for proving claims or the hearing of the application for discharge as the case may be.

(3) Notice of the date fixed for the hearing of an insolvency petition under section 12 (1) of the Act shall be sent by the Court by registered post, if the petition is by the debtor, to all creditors mentioned in the petition, and if the petition is by a creditor, to the debtor, not less than 14 days before the said date.

(4) Notice of the date fixed for the consideration of a proposal under section 27 (1) of the Act shall be sent by the Court by registered post to all creditors who have tendered proof of their debts not less than 14 days before the said date.

(5) Notice of the date fixed for the hearing of an application for discharge under section 44 (1) of the Act shall be despatched by the Court by registered post to all persons whose names have been entered in the schedule of creditors not less than 14 days before the said date.

(6) The notice to be given under section 39 (4) of the Act shall be sent by the Receiver by registered post to all persons whose claims to be creditors have been notified but not proved not less than one calendar month before the limit of time fixed for proving claims.

(7) The notice to be given under section 24 (3) of the Act shall be served only on the debtor and on the creditors whose names appear in the schedule of creditors and may, if the Court so directs, be served on any or all such creditors by registered post.

(8) It shall not be necessary to give notice of the date to which the hearing of a petition or of an application for discharge or the consideration of a proposal is adjourned.

XXII. (7) All proceedings under the Act down to and including the making of an order of adjudication shall be at the cost of the party prosecuting them; but when an order of adjudication has been made, the costs of the petitioning creditor shall be taxed and be payable out of the estate.

(2) Before making an order in an insolvency petition presented by a debtor the Court may require the debtor to deposit in Court a sum sufficient to cover the costs of sending the prescribed notices of the hearing of petition.

(3) No costs incurred by a debtor of, or incidental to, an application to approve a composition or scheme shall be allowed out of the estate if the Court refuses to approve the composition or scheme.

Summary Administration. XXIII. If the Court makes an order under section 15 of the Act that the debtor's estate be administered in a summary manner—

(a) the petition and all subsequent proceedings shall be endorsed "Summary case;"

(6) there shall be no advertisement of any proceedings in any news-

FORM NO. 1. IN THE DISTRICT COURT OF A.  
*Insolvency Petition No.                      of 19     .*

In the matter of A. B.

FORM NO. 2.—PARTICULARS OF THE DEBTOR'S LIABILITIES AND ASSETS.

*A.—Liabilities.*

Serial Number.	Creditor's name and residence.	Nature of creditor's claim.	Amount of claim.		Remarks.
			<i>R</i>	<i>a. p.</i>	
		Total			

*B.—ASSETS.*

(1) *Land and houses.*

Serial No	Description.	Extent.	Where situated.	Nature of debtor's interest	Value of debtor's interest.			Remarks.
					<i>R</i>	<i>a</i>	<i>p</i>	
				Total				

(2) *Debts due and other pecuniary claims, excluding those represented by securities and shares in joint-stock companies.*

Serial No.	Name and address of debtor or person against whom the claim is alleged.	Nature of debt or claim.	Value.			Remarks.
			R	a.	p.	
		Total				

(3) *Securities and shares in joint-stock companies.*

Serial No.	Description.	Face value.			In whose possession.	If subject to a claim by another party, the name and address of the party and the nature of the claim	Market value or, if subject to the claim of another party, market value of debtor's interest.			Remarks.
		R	a.	p.			R	a.	p.	
						Total				

(4) *Money.*

Serial No.	In whose possession.	Amount.			Remarks.
		R	a.	p.	
	Total				

(5) *Other moveable property.*

*Serial No.	*Description.	In whose possession	Value			Remarks
			R	a.	p.	
		Total				

*Abstract.*

	R	a	p.	R	a.	p.
A. Liabilities						
B. Assets—						
(1) Land and houses						
(2) Debts and other pecuniary claims						
(3) Securities and shares						
(4) Money						
(5) Other moveable property						
Total						
Deficiency R						

I, *A. B.*, hereby declare that I am willing to place at the disposal of the Court all my assets as shown above save in so far as they include such particulars (*not being books of account*) as are *exempted* by law from liability to attachment and sale in execution of a decree, namely :—

Serial No	Description of items for which exemption is claimed	Value			Remarks.
		R	a	p.	
	Total				

\* It is not necessary to enumerate or describe each item of property. It is sufficient to give each kind of property separately, *e.g.* jewellery, furniture, books, etc.

## FORM No. 3.

(Cause-title.)

I  
We \_\_\_\_\_  
of \_\_\_\_\_  
make oath and say (or solemnly and sincerely affirm) that the said \_\_\_\_\_  
\_\_\_\_\_ is justly and truly indebted  
\_\_\_\_\_ are \_\_\_\_\_  
of \_\_\_\_\_ in the sum of rupees \_\_\_\_\_ annas \_\_\_\_\_  
and pies \_\_\_\_\_ as shown by the account in schedule A hereto annexed,  
for which sum or any part thereof  $\frac{1}{\text{we}}$  say that \_\_\_\_\_ has not nor  
has any person to  $\frac{\text{my}}{\text{our}}$  knowledge or belief by  $\frac{\text{our}}{\text{his}}$  order had or received any  
 $\frac{\text{their}}$   
manner of satisfaction and security whatever, except as shown in schedule B  
hereto annexed.\*

Sworn (or solemnly affirmed)

at \_\_\_\_\_ day of \_\_\_\_\_ (Signed) H. N.  
before me (Signed) C. D.  
Designation, }

## SCHEDULE A.

Date.	Consideration.	Amount.						Remarks.†
		R	a.	p.	R	a.	p.	
	Total amount due from the debtor							
	Contra account							
	Total of contra account							
	Net amount due from the debtor							
	Deduct debts secured as shown in schedule B							
	Total of unsecured claim against the debtor							

\* If the creditor relinquishes his security for the general benefit of the creditors a statement to that effect should be added.

† The vouchers (if any), by which the account can be substantiated, should be specified here.

## SCHEDULE B.

Serial Number.	Description of the security.	Nature of creditor's charge on the security.	Value of creditor's charge on the security.		Remarks.
			R	a. p.	
		Total			

[*Gazette of India*, 1908, Pt. II, p. 1855.]

See Orders relating to Courts printed Vol. I, p. 356.

Code of Civil Procedure, 1908.

Indian Registration Act, 1908.

*Dated the 23rd May 1881.*—Under the provisions of section 9 of the Indian Registration Act, III of 1877<sup>1</sup>, the Resident in Mysore directs, on the authority of the notification of the Government of India in the Foreign Department, No. 126-G. P., dated 28th April 1881, that the Sub-Registrar of the Cantonment of Bangalore, hitherto a sub-district of the Bangalore Registration District, shall henceforth be styled "the Sub-Registrar of the Civil and Military Station of Bangalore," and the local limits of the sub-registration district of the Civil and Military Station of Bangalore shall be coextensive with the limits of the tract assigned by His Highness the Maharaja of Mysore for the purposes of a Civil and Military Station in Bangalore.

2. The Civil and Sessions Judge of the said station shall be the Registrar and the Inspector-General of Registration for Coorg shall be the Inspector-General of Registration<sup>3</sup> for that station.

[*Mysore Gazette*, 1881, Pt. II, p. 112.]

*No. 959, dated the 10th April 1886.*—In supersession of the notification of the Resident in Mysore, No. 6,—dated the 29th June 1882, the Officiating

<sup>1</sup> See now the Indian Registration Act, 1908. It was applied to the Civil and Military Station by notification No. 1010-1 B., dated the 21st May 1909, which is superseded by Vol. I, p. 390.

<sup>2</sup> By notification No. 959, dated 10th

<sup>3</sup> The Registrar for Mysore was appointed by Station of Bangalore also.





2. The term "territorial division" in the Indian Registration Act, XVI of 1908, as in force in the Civil and Military Station of Bangalore, shall mean the Civil and Military Station of Bangalore and shall, as far as practicable, include the town, village, hamlet, suburb or other well-known division in which the property referred to in a registrable document is situated. But if the property is described in the document relating thereto by a specific reference to a registered instrument in which the above particulars and sufficient description of the property are already given, they need not be repeated.

Territorial Division  
Section 21.

### *Time.*

The fines for delays in presentation and appearance under sections 25 and 34 shall be regulated as follows:—

Fines for delays in  
presentation and  
appearance, Sec-  
tions 25 and 34.

When the delay does not exceed one week after the expiration of the time allowed for presentation or appearance.

A fine equal to the proper registration fee.

When the delay exceeds one week but does not exceed one calendar month.

A fine equal to twice the proper registration fee.

When the delay exceeds one month but does not exceed two months.

A fine equal to five times the proper registration fee.

When the delay exceeds two months but does not exceed four months.

A fine equal to ten times the proper registration fee.

### *Presentation.*

4. All parties bringing documents for registration shall take them with the fees payable direct to the registering officer and not to one of his clerks or peons. If there is any informality attendant on this presentation of a nature which can be remedied, the registering officer shall give the parties such information as may be necessary and return the fees and the document with a view to its being presented again in due form. If, for instance, the document is presented in the wrong office, he will inform them where they should go. If the parties have come without the prescribed fee, if an agent has come without a power-of-attorney or without such a power as the Act requires, if the description of the property is insufficient to identify the same, if the document is one which ought to be accompanied by a translation and copy; or if it contains a map of which copy is required for filing in the file book, or if there are interlineations, alterations, erasures or blanks which are not attested, the registering officer will explain what is wanted. If, however, there are none of these obstacles to the reception of the document, or if the document is presented again after these objections have been removed, he shall at once endorse on it the date, hour and place of presentation and take the signature of the presenting party to such endorsement. He shall also

Presentation of  
documents. Sec-  
tions 32 and 33.



that date shall, if the receipt or notice is produced before the registering officer, be cancelled and the probable later date on which the document will be ready shall be entered under the initials of the registering officer. Corresponding entries and corrections shall be made in the counterfoil.

(vii) A document shall, if possible, be returned on the date of its admission to registration.

(viii) In order to obtain delivery of a document the person entitled to claim back the same shall produce the receipt, and the registering officer shall thereupon obtain his signature to the acknowledgment in the counterfoil and return both the document and the receipt after endorsing on the latter the date of its return and initialling this entry. A person entitled to claim back a document who is known to the registering officer may obtain the return of a document by sending the receipt to the registering officer through a messenger with a requisition endorsed on the receipt and signed by himself for the delivery of the document to the messenger. The document may then be handed over to the messenger after his acknowledgment and thumb impression have been taken in the counterfoil of the receipt, the receipt being retained in the office and pasted to the counterfoil.

(ix) In the event of a receipt being lost, the person who should have produced it may receive the document on making and signing on the counterfoil a declaration of the loss and, if required by the registering officer, affixing his thumb impression thereto.

(x) When a nominee fails to take back a document within seven days from the date noted on the receipt as that on which it will be ready for delivery, the nomination may be revoked by the person by whom it was made, by an entry signed by him to that effect in the counterfoil and he shall in that case receive the document himself.

When a party to a document objects to its being returned to a person in whose favor the receipt has been drawn up, the objection shall not be allowed to prevail, unless such party can satisfy the registering officer, that he has applied to a competent Court for an injunction to restrain the registering officer from returning the document.

(xi) When an impounded document is received back from the Collector after adjudication of stamp duty, the registering officer shall immediately give notice in writing to the presentant or to the person authorized to take delivery of the document either to take steps to complete the registration of the document, or to take delivery of the document.

(xii) When proceeding to attend at a private residence the receipt book shall not be taken by the registering officer, but the requisite receipt may

be detached from the counterfoil for issue to the party concerned, the entries in the counterfoil being made after return of the registering officer to his office. In such a case any nomination to take delivery of a document shall be obtained on a slip which shall be initialled and dated by the registering officer and pasted on to the counterfoil.

(xiii) Clauses (iv) to (xii) of the rule do not contemplate the return of a document by post but a document may be so returned if a presentant desires this course to be followed and at his own risk, subject to the following conditions :—

- (a) The presentant shall sign an endorsement on the counterfoil of the receipt authorising the return of the document by registered post to an address to be specified and shall deposit with the registering officer a suitable envelope on which shall be super-scribed the address and to which postage stamps are affixed sufficient to cover the registration fee, the postage and the fee for obtaining the acknowledgment of the addressee.
- (b) The registering officer shall secure the envelope after causing the requisite entries to be made in a register maintained for the purpose.
- (c) When the registration of the document has been completed, the registering officer shall enclose the document in the envelope and post it and shall note the fact on the counterfoil.
- (d) The acknowledgment of the addressee shall, on receipt, be pasted to the counterfoil.
- (e) At each stage the corresponding entries shall be made in the register referred to in sub-clause (b).

15. The fee for a search shall entitle the applicant to read the entry for the finding of which the fee has been paid, or to have it read to him, but it shall not entitle him to take a copy of the entry. If a search should prove fruitless, the fee shall not be refunded, but the applicant shall, if he wishes it, receive a certificate stating that the entry sought for has not been found in the books.

16. In a certified copy every figure shall count as a word. If initials or abbreviations are used instead of words, every initial or abbreviation shall count as a word. Thus "A. D. 1866" will be equivalent to six words; "Bounded on the N. E." to five words; and "A. R. Thompson" to three words.

17. Government officers who may require to search the registers or to take copies of entries for *bona fide* public purposes shall be permitted to do so without payment of any fee.

18. In complying with any requisition made by a Court which involves a search or the preparation of a copy of any document, the registering officer shall forward to such Court a memorandum of the fees payable on that account, in view to the amount of such fees being remitted by the Court to the registering officer. In like manner, when a registering officer receives a summons to produce any register books in Court, he shall apply to the Court issuing the summons for the payment of the travelling and other expenses to be defrayed by him, or by any of his clerks, in passing to and from the Court.

Requisitions from the Courts for searches and copies or the production of documents and registers. Sections 46 and 57.

19. The office of the Sub-Registrar shall be open for six hours daily, Sundays and holidays excepted. The usual hours shall be from 11 A.M. to 5 P.M., and if it be found necessary to change these hours a notice to that effect shall, with the approval of the Inspector-General, be affixed in the office for the information of the public.

Hours of office. Section 69.

Any registration office may be open, if necessary, for more than six hours.

20. A notice showing where the registering officer lives must be affixed outside every office.

Residence of Registering Officers.

21. The same holidays shall be allowed in Registration offices as in all other Government offices.

Holidays. Section 69.

22. All unclaimed documents, other than wills, may be destroyed with the sanction of the Inspector-General when the period allowed, viz., two years, has been exceeded, unless the officer in whose custody they are should see some special reason for keeping them. In the event of a registered instrument being destroyed, a note showing the date on which it was destroyed shall be entered in the page of the volume in which it has been copied. In the event of the instrument being one of which registration has been refused, a similar entry shall be made in the page of Book II containing the order of refusal. Lists of documents lying unclaimed shall be hung up in every Registration office, and shall from time to time be published in the local Gazette. Notice shall also be given by letter, service bearing, addressed to the persons entitled to receive the documents lying unclaimed.

Destruction of unclaimed documents. Sections 85 and 89.

23. When registration is refused because the document has been presented in the wrong office or in an office in which the acceptance of the document is left to the discretion of the Registrar, no order of refusal shall be entered in Book II. In all other cases the reason, or if there is more than one reason, all the reasons for refusal shall be at once recorded. They will usually come under one or more of the following:—

Refusal to register. Sections 71 and 76.

I. That the document is written in a language which the registering officer does not understand and which is not commonly used in

Section 19.

the Station, and that it is unaccompanied by a true translation and a true copy.

II. That it contains unattested interlineations, blanks, crasres or alternations.

21 (2) III. That the description of the property is insufficient to identify it.

IV. That the document is unaccompanied by a copy or copies of any map or plan which it contains.

21, 25, V. That it is presented after the prescribed time.

33, 40 VI. That it is presented by a person who has no right to present it.

VII. That the executing parties or their representatives, assigns, or agents have failed to appear within the prescribed time.

nd 43. VIII. That the registering officer is not satisfied as to the identity of any person appearing before him, and alleging that he has executed the document.

nd 40. IX. That the registering officer is not satisfied as to the right of any person appearing as a representative, assign or agent so to appear.

X. That execution is denied by any person purporting to be an executing party or by his agent.

XI. That the person purporting to have executed the document is a minor, an idiot, or a lunatic.

XII. That execution is denied by the representative or assign of any deceased person by whom the document purports to have been executed.

nd 41. XIII. That the alleged death of any person by whom the document purports to have been executed has not been proved.

XIV. That the registering officer is not satisfied as to the fact of execution, in the case of any will or authority to adopt, presented after the death of the testator or donor.

XV. That a cover containing a will is not sealed, or is not superscribed with the name of the testator and that of his agent (if any), and the nature of the document.

25 and XVI. That the prescribed fees or fines have not been paid.

of docu- 24. The Sub-Registrar is not authorized by law to refuse to register a  
ch Sub- document which has been executed by himself or in his own favour or  
Interest because he is a party interested remotely or indirectly, in the transaction  
30 (1) to which such document relates; nor is he authorized to refuse to authen-  
ticate powers-of-attorney granted for the registration of such documents; but  
he will always recommend the parties to present such document or power-  
of-attorney to the Registrar, who will, as provided in the table of fees,

register such document without charging the usual extra fee. If the parties, after being recommended as above, insist on the Sub-Registrar registering a document in which he is interested, he must register it. In this case, he will immediately report the fact for the information of the Registrar.

### *Fees and Fines.*

25. It is for the registering officer, who is responsible for levying the fee, to determine in the first instance what fee should be paid. After it has been paid, the presenting party may, if he is dissatisfied, refer the question to the Registrar who shall, if he thinks there has been an over charge, order the Sub-Registrar to refund any excess. If the decision is adverse to the party, he may make a further reference to the Inspector-General. Sections 78, 79 & 80.

26. (i) In the event of registration being refused, any fee or fine which may have been levied shall be refunded except fees for commissions summonses, attendances and travelling allowances where such fees and allowances have been earned.

(ii) Every application for the remission of a fine or fee shall be lodged in the first instance with the registering officer who levied it, for submission to the sanctioning authority through the proper channel.

(iii) The Registrar may himself dispose of applications for the refund of fees or fines collected in excess or for work not performed by the department.

27. (i) Whether a document is admitted to registration or not, all fees or fines shall be at once brought to account and the collection shall be remitted to the Honourable the Resident's Treasury whenever they reach Rs. 100 and always on the last working day of the month.

(ii) A remittance to the treasury shall be accompanied by the chellan book, duly filled up in duplicate, in view to one copy of each chellan being returned signed by the treasury officer.

28. (i) A separate attestation fee shall be levied on every signature requiring authentication in a power-of-attorney executed by several persons provided that only one attestation fee shall be levied when a person executes a power-of-attorney both for himself and as guardian or agent of one or more other persons.

(ii) The duplicate or triplicate of the power-of-attorney presented for authentication shall be treated as a separate power and a separate attestation fee levied thereon.

29. If the registering officer is required to attend at the same time and place for the purpose of attesting several signatures to a joint power-of-attorney, or of attesting several powers-of-attorney executed by one person only one attendance fee shall be levied. Fees for attending private residences Sections 78, 79 and 80.



the Station, and that it is unaccompanied by a true translation and a true copy.

II. That it contains unattested interlineations, blanks, erasures or alternations.

III. That the description of the property is insufficient to identify it.

IV. That the document is unaccompanied by a copy or copies of any map or plan which it contains.

V. That it is presented after the prescribed time.

VI. That it is presented by a person who has no right to present it.

VII. That the executing parties or their representatives, assigns, or agents have failed to appear within the prescribed time.

VIII. That the registering officer is not satisfied as to the identity of any person appearing before him, and alleging that he has executed the document.

IX. That the registering officer is not satisfied as to the right of any person appearing as a representative, assign or agent so to appear.

X. That execution is denied by any person purporting to be an executing party or by his agent.

XI. That the person purporting to have executed the document is a minor, an idiot, or a lunatic.

XII. That execution is denied by the representative or assign of any deceased person by whom the document purports to have been executed.

XIII. That the alleged death of any person by whom the document purports to have been executed has not been proved.

XIV. That the registering officer is not satisfied as to the fact of execution, in the case of any will or authority to adopt, presented after the death of the testator or donor.

XV. That a cover containing a will is not sealed, or is not subscribed with the name of the testator and that of his agent (if any), and the nature of the document.

XVI. That the prescribed fees or fines have not been paid.

24. The Sub-Registrar is not authorized by law to refuse to register a document which has been executed by himself or in his own favour or because he is a party interested remotely or indirectly, in the transaction to which such document relates; nor is he authorized to refuse to authenticate powers-of-attorney granted for the registration of such documents; but he will always recommend the parties to present such document or power-of-attorney to the Registrar, who will, as provided in the table of fees,

instructions as may be given by the Inspector-General from time to time. Books II, III and V shall contain 120 pages each, except in cases where the Inspector-General certifies the number of pages. A file book shall also be supplied, corresponding with Book I and similarly paged. In it shall be filed all true copies and translations of documents received under sections 19 and 62, all copies of maps and plans mentioned in section 21, and copies of certificates received under section 89. This volume shall have a number assigned to it in the general series of Book I, as soon as it is brought into use and when complete, it shall, if necessary, be bound.

33. Books for registers and indexes will be supplied for the use of the Registrar and Sub-Registrar from the Office of the Inspector-General, by whom the number of pages contained in each book will be certified on the fly leaf. Every Registrar and Sub-Registrar shall, at all times, have a reserve supply consisting of one additional copy of each book, except register Nos. II, III, and V, and will submit timely indents for further supplies. Every blank book shall be carefully examined by the registering officer on receipt, and if found incomplete it shall at once be returned to the officer from whom received, with a memorandum stating in what particulars it is defective. No officer should ever be unprovided with the requisite registers, but, if, owing to any unavoidable accident, such a contingency should arise, instruments tendered for registration shall, nevertheless, be received as usual the necessary inquiries shall be held, and the prescribed endorsements shall be made. But as the certificate cannot be added until the instrument is copied into the register, the instrument must remain in the registering officer's custody until the process of registration has been completed.

34. Notes of interlineations, erasures or alterations in documents or in endorsements thereon must be so prepared as to show precisely what word or words have been interlined, erased or altered. In the majority of cases, the simplest plan will be to underscore the particular word or words and to write the letters a, b, c, d, above with corresponding footnotes, preceded by the expression "in document," interlineations, etc.

(a) interlineation (or erasure, etc.).

35. If a word in the original is misspelt, or if a word is by mistake repeated, or if some word necessary to complete the sense is omitted, the error or omission may be indicated by under-scoring the word or words in which it occurs and by writing a letter or figure above, with a corresponding footnote,—

(a) Sic,

but no attempt shall be made to correct the error or supply the omission.

Supply of books and forms. Section 16.

Notes of interlineations, erasures or alterations. Section 20.

Notes of clerical errors. Section 20.

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30. Documents executed by a Government officer or by any one of the public functionaries named in section 88, as well as documents executed on the one part by such Government officer or public functionary and on the other part by any other person, shall not be admitted to registration unless they are presented at the proper Registration office by such other person or by a person claiming under the same or by the agent, representative or assign of any of these persons, respectively, or unless they are forwarded for registration by the Government officer or public functionary executing the same.

## PART II.

### DEPARTMENTAL RULES.

n 15.

31. The seal shall always remain in the personal custody of the registering officer. Care shall be taken to produce a distinct and legible impression with it, and for this purpose the pad and printing ink supplied for the purpose shall be used. The seal shall be used in authenticating:—

- (a) The certificate endorsed on a registered instrument under section 60.
- (b) Powers-of-attorney attested by a Registrar or Sub-Registrar under section 33.
- (c) Commissions issued under sections 33 and 38.
- (d) Certified copies of entries under section 57.
- (e) Copies of orders of refusal to register, granted under sections 71 and 76.
- (f) Copies granted to parties, of entries other than those above referred to.
- (g) Certificates granted to applicants as regards registered transactions affecting immoveable property.

If a registering officer should find himself temporarily unprovided with the prescribed seal, registration shall nevertheless go on as usual, and such documents as may be admitted to registration shall remain in the registering officer's custody until the seal can be affixed to the certificate.

g, &c.,  
Sections

32. The registers shall be prepared in the forms hereunto appended. Books I and IV shall ordinarily contain 500 pages each; in other cases the Inspector-General shall certify the number of pages. Where necessary more than one volume may be used simultaneously for the registration of the documents, and the order in which documents shall be entered in each volume shall be determined by the registering officer with reference to such general

instructions as may be given by the Inspector-General from time to time. Books II, III and V shall contain 120 pages each, except in cases where the Inspector-General certifies the number of pages. A file book shall also be supplied, corresponding with Book I and similarly paged. In it shall be filed all true copies and translations of documents received under sections 19 and 62, all copies of maps and plans mentioned in section 21, and copies of certificates received under section 59. This volume shall have a number assigned to it in the general series of Book I, as soon as it is brought into use and when complete, it shall, if necessary, be bound.

33. Books for registers and indexes will be supplied for the use of the Registrar and Sub-Registrar from the Office of the Inspector-General, by whom the number of pages contained in each book will be certified on the fly leaf. Every Registrar and Sub-Registrar shall, at all times, have a reserve supply consisting of one additional copy of each book, except register Nos. II, III, and V, and will submit timely indents for further supplies. Every blank book shall be carefully examined by the registering officer on receipt, and if found incomplete it shall at once be returned to the officer from whom received, with a memorandum stating in what particulars it is defective. No officer should ever be unprovided with the requisite registers, but, if owing to any unavoidable accident, such a contingency should arise, instruments tendered for registration shall, nevertheless, be received, as usual the necessary inquiries shall be held, and the prescribed endorsements shall be made. But as the certificate cannot be added until the instrument is copied into the register, the instrument must remain in the registering officer's custody until the process of registration has been completed.

Supply of books and forms. Section 16.

34. Notes of interlineations, erasures or alterations in documents or in endorsements thereon must be so prepared as to show precisely what word or words have been interlined, erased or altered. In the majority of cases, the simplest plan will be to underscore the particular word or words and to write the letters a, b, c, d, above with corresponding footnotes, preceded by the expression "in document," interlineations, etc.

Notes of interlineations, erasures or alterations. Section 20.

(a) interlineation (or erasure, etc.).

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Notes of clerical errors. Section 20.

(a) Sic,

but no attempt shall be made to correct the error or supply the omission.

30. Documents executed by a Government officer or by any one of the public functionaries named in section 88, as well as documents executed on the one part by such Government officer or public functionary and on the other part by any other person, shall not be admitted to registration unless they are presented at the proper Registration office by such other person or by a person claiming under the same or by the agent, representative or assign of any of these persons, respectively, or unless they are forwarded for registration by the Government officer or public functionary executing the same.

## PART II.

### DEPARTMENTAL RULES.

31. The seal shall always remain in the personal custody of the registering officer. Care shall be taken to produce a distinct and legible impression with it, and for this purpose the pad and printing ink supplied for the purpose shall be used. The seal shall be used in authenticating:—

- (a) The certificate endorsed on a registered instrument under section 60.
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- (c) Commissions issued under sections 33 and 38.
- (d) Certified copies of entries under section 57.
- (e) Copies of orders of refusal to register, granted under sections 71 and 76.
- (f) Copies granted to parties, of entries other than those above referred to.
- (g) Certificates granted to applicants as regards registered transactions affecting immoveable property.

If a registering officer should find himself temporarily unprovided with the prescribed seal, registration shall nevertheless go on as usual, and such documents as may be admitted to registration shall remain in the registering officer's custody until the seal can be affixed to the certificate.

32. The registers shall be prepared in the forms hereunto appended. Books I and IV shall ordinarily contain 500 pages each; in other cases the Inspector-General shall certify the number of pages. Where necessary more than one volume may be used simultaneously for the registration of the documents, and the order in which documents shall be entered in each volume shall be determined by the registering officer with reference to such general

instructions as may be given by the Inspector-General from time to time. Books II, III and V shall contain 120 pages each, except in cases where the Inspector-General certifies the number of pages. A file book shall also be supplied, corresponding with Book I and similarly paged. In it shall be filed all true copies and translations of documents received under sections 19 and 62, all copies of maps and plans mentioned in section 21, and copies of certificates received under section 89. This volume shall have a number assigned to it in the general series of Book I, as soon as it is brought into use and when complete, it shall, if necessary, be bound.

33. Books for registers and indexes will be supplied for the use of the Registrar and Sub-Registrar from the Office of the Inspector-General, by whom the number of pages contained in each book will be certified on the fly leaf. Every Registrar and Sub-Registrar shall, at all times, have a reserve supply consisting of one additional copy of each book, except register Nos. II, III, and V, and will submit timely indents for further supplies. Every blank book shall be carefully examined by the registering officer on receipt, and if found incomplete it shall at once be returned to the officer from whom received, with a memorandum stating in what particulars it is defective. No officer should ever be unprovided with the requisite registers, but, if owing to any unavoidable accident, such a contingency should arise, instruments tendered for registration shall, nevertheless, be received as usual the necessary inquiries shall be held, and the prescribed endorsements shall be made. But as the certificate cannot be added until the instrument is copied into the register, the instrument must remain in the registering officer's custody until the process of registration has been completed.

34. Notes of interlineations, erasures or alterations in documents or in endorsements thereon must be so prepared as to show precisely what word or words have been interlined, erased or altered. In the majority of cases, the simplest plan will be to underscore the particular word or words and to write the letters a, b, c, d, above with corresponding footnotes, preceded by the expression "in document," interlineations, etc.

(a) interlineation (or erasure, etc.).

35. If a word in the original is misspelt, or if a word is by mistake repeated, or if some word necessary to complete the sense is omitted, the error or omission may be indicated by under-scoring the word or words in which it occurs and by writing a letter or figure above, with a corresponding footnote,—

(a) Sic,

but no attempt shall be made to correct the error or supply the omission.

Supply of books and forms. Section 16.

Notes of interlineations, erasures or alterations. Section 20.

Notes of clerical errors. Section 20.

36. Sometimes a space is left in a document for a name, date or word which is never filled up. In such cases a letter or figure may be entered in the blank space with a corresponding footnote,—

(a) Blank.

37. Notes, similar to those mentioned in Rules 34 to 36, should be made also in regard to interlineations, erasures, alterations, etc., made in the copies of documents entered in the registers. The particular word or words interlined, erased, altered, etc., in the copy should be bracketted in black ink and the figures (1), (2), (3), (4), entered above them with corresponding footnotes, preceded by the expression, "in register, interlineations, etc."

38. In all cases of re-registration under section 24 and of registration ordered under sections 72, 75 and 77, the document shall be copied in the register in the column headed "copy of document" and the endorsement and certificate of registration as well as the endorsements of previous presentation and refusal, and certificate of registration shall be transcribed in the column of endorsement, so as to show in chronological order the several stages of procedure gone through in regard to it.

39. If a registering officer acts under section 31, he must go in person, provided that it does not interfere with the regular business of the office. The Sub-Registrar shall report every such attendance to the Registrar, who shall satisfy himself that the special cause assigned was a sufficient cause, and the Sub-Registrar's absence from his office was not longer than was necessary.

40. (a) If a power of attorney is executed before a registering officer, he shall, after satisfying himself of the identity of the party appearing, authenticate it in the following form:—

Executed in my presence this \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_, by A. B. who is personally  
known to me, or whose identity is proved by C. D., (addition), and E. F.  
(addition).

*Signature.*

Seal.

(b) If the power-of-attorney has not been executed before the registering officer, but has been ascertained to have been voluntarily executed

in the manner prescribed in section 33, the form of authentication shall be as follows:—

I certify that I have satisfied myself that this power-of-attorney has been voluntarily executed by the person purporting to be the principal.

Seal. .

*Date*

*Signature.*

(c) If a document is presented for registration under a special power-of-attorney, the power shall be retained and filed in the office with the following endorsement:—

No.

of 19

Presented with document No.

of 19

of Book

, Vol.

A. B.,

*Date*

*Sub-Registrar.*

(d) If a document is presented for registration under a general power-of-attorney, the power shall be returned with the following endorsement:—

Presented with document No.

of 19

, of

Book

, Vol.

A. B.,

*Date.*

*Sub-Registrar.*

(e) If the execution of a document, presented for registration by the claimant thereunder, is admitted by an agent under a power-of-attorney, the following endorsement shall be made on the power which will be retained and filed or returned according as it is a special or general power:—

Presented in connection with document No.

of 19

of Book

, Vol.

A. B.,

*Date.*

*Sub-Registrar.*

(f) Although a power-of-attorney may be registered like any other instrument, it is not valid for registration purposes unless attested. When powers-of-attorney are brought to a Registration office by persons who do not understand the distinction between attestation and registration it will be the duty of the registering officer to explain the difference and to give such information as may be necessary to prevent the parties from being subjected



to unnecessary expense by the registration of powers which need only to be attested.

(g) All special powers-of-attorney filed shall either be pasted in successive order into a book or bound up together, when sufficient in number to constitute a volume.

owers- 41. Abstracts should be retained in every Registration office of all powers-of-attorney attested by registering officers under section 33, whether such powers are general or special, registered or not registered.

linea- powers- 42 All interlineations, blanks, erasures or alterations in powers-of-attorney authenticated under section 33, should, at the time of authentication, be detailed in a footnote signed by the registering officer. When there are no interlineations, etc., the fact should be noted in the same way. This footnote will be copied in every case in the abstract kept under rule 41.

not from 43. Persons exempt by law from personal attendance in Court are, under dance. id 83. sections 142 and 133 of the Civil Procedure Code, Act V of 1908 :—

(a) Gosha women, or women who according to the customs and manners of the country ought not to be compelled to appear in public.

(b) Persons of rank specially exempted by Government.

A list of persons so exempted shall be obtained from the Resident's Court by the Registrar, and communicated to the Sub-Registrar.

44. Commissions issued under section 33 and section 38 shall be prepared in the form hereunto appended and shall ordinarily be addressed by the registering officer to one of his clerks—*vide* also sections 76 and 76 and Order XXVI rules 1—8 of the Civil Procedure Code.

(a) When the commission has been executed, the Commissioner shall return the document to the office from which it was issued with a report, which shall be endorsed on the document, in the following terms :—

“ Having visited the residence of A. B., son of C. D., at I have this day examined the said A. B., who has been identified to my satisfaction by E. F., son of G. H., etc., residents of , and the said A. B., admitted (or denied) the execution of this document.”

Thumb impression.

Full Signature of Executants.

Do. of Witnesses.

Do. of Commissioner.

(i) Where receipt of consideration is acknowledged before the Commissioner, he shall add the following clauses to his above report :—

“ And acknowledged receipt of Rs. (or goods to be specified) being consideration in whole (or in part).

(ii) Where consideration is paid in the presence of the Commissioner he shall add the following to his report:—

"I also certify that Rs. \_\_\_\_\_ (or goods to be specified,  
were paid (or delivered) in my presence to the said A. B.  
by....."

The signature of the payer also should be taken below this report as provided in the specimen form of endorsement in appendix II B. and C.

On receiving the Commissioner's report, the registering officer shall, if satisfied as to the execution, make the following endorsement below it:—

"From the above report, I am satisfied that this document has been voluntarily executed by the said A. B."

*Date.*

*Q. R.,  
Registrar.*

In the cases (i) and (ii) referred to above, the registering officer shall add to his endorsement the following:—

"For consideration of Rs. \_\_\_\_\_ acknowledged to have  
been received by him (or for consideration of Rs. \_\_\_\_\_ paid to him by  
in the presence of the Commissioner)."

(b) A Commissioner may examine witnesses in the same manner as a registering officer, and persons refusing to give testimony to a Commissioner on being required to do so shall be subject to the penalties and punishments which they would incur for the same offence if committed in a registration office. Sections 33 and 38 of the Registration Act and Order XXVI, rule 17 of the Civil Procedure Code.

(c) It shall be competent to a registering officer to examine the Commissioner personally in his office touching any of the circumstances connected with the discharge of his commission, especially with reference to the voluntary nature of the admission of execution.

45. Every entry made in Book V under section 43, shall be dated and signed by the Registrar. When a sealed cover is withdrawn under section 44, the entry relating thereto, made in Book V, shall be signed by the person by whom the withdrawal is made as well as by the Registrar. Deposit and withdrawal of sealed covers. Sections 43 and 44.

46. When a sealed cover containing a will is opened under section 45 the following endorsement shall be made on the will:—

"Having satisfied myself that the testator hereof is dead, the sealed cover containing this will is opened on the application and in the presence of (name and address) this \_\_\_\_\_ day of 19 \_\_\_\_."

*A. B.,  
Registrar.*

to unnecessary expense by the registration of powers which need only to be attested.

(g) All special powers-of-attorney filed shall either be pasted in successive order into a book or bound up together, when sufficient in number to constitute a volume.

41. Abstracts should be retained in every Registration office of all powers-of-attorney attested by registering officers under section 33, whether such powers are general or special, registered or not registered.

42. All interlineations, blanks, erasures or alterations in powers-of-attorney authenticated under section 33, should, at the time of authentication, be detailed in a footnote signed by the registering officer. When there are no interlineations, etc., the fact should be noted in the same way. This footnote will be copied in every case in the abstract kept under rule 31.

43. Persons exempt by law from personal attendance in Court are, under sections 142 and 133 of the Civil Procedure Code, Act V of 1908 :—

(a) Gosha women, or women who according to the customs and manners of the country ought not to be compelled to appear in public.

(b) Persons of rank specially exempted by Government.

A list of persons so exempted shall be obtained from the Resident's Court by the Registrar, and communicated to the Sub-Registrar.

44. Commissions issued under section 33 and section 35 shall be prepared in the form hereunto appended and shall ordinarily be addressed by the registering officer to one of his clerks—*vide* also sections 76 and 76 and Order XXVI rules 1—3 of the Civil Procedure Code.

(a) When the commission has been executed, the Commissioner shall return the document to the office from which it was issued with a report, which shall be endorsed on the document, in the following terms :—

"Having visited the residence of A. B., son of C. D., at I have this day examined the said A. B., who has been identified to my satisfaction by E. F., son of G. H., etc., residents of \_\_\_\_\_, and the said A. B., admitted (or denied) the execution of this document."

Thumb impression.

Full signature of Executants.

Do. of Witnesses

Do. of Commissioner.

(i) Where receipt of consideration is acknowledged before the Commissioner, he shall add the following clauses to his above report :—

"And acknowledged receipt of Rs. \_\_\_\_\_ (or goods to be specified)  
Being consideration in whole (or in part).

(ii) Where consideration is paid in the presence of the Commissioner he shall add the following to his report:—

"I also certify that Rs. (or goods to be specified,  
were paid (or delivered) in my presence to the said A. B.  
by....."

The signature of the payer also should be taken below this report as provided in the specimen form of endorsement in appendix II B. and C.

On receiving the Commissioner's report, the registering officer shall, if satisfied as to the execution, make the following endorsement below it:—

"From the above report, I am satisfied that this document has been voluntarily executed by the said A. B."

*Date.*

*G. R.,  
Registrar.*

In the cases (i) and (ii) referred to above, the registering officer shall add to his endorsement the following:—

"For consideration of Rs. acknowledged to have  
been received by him (or for consideration of Rs. paid to him by  
in the presence of the Commissioner)."

(b) A Commissioner may examine witnesses in the same manner as a Sections 33 and 38  
registering officer, and persons refusing to give testimony to a Commissioner of the Registration  
on being required to do so shall be subject to the penalties and punishments Act and Order  
which they would incur for the same offence if committed in a registration XXVI, rule 17 of  
Code. the Civil Procedure  
office.

(c) It shall be competent to a registering officer to examine the Commissioner personally in his office touching any of the circumstances connected with the discharge of his commission, especially with reference to the voluntary nature of the admission of execution.

45. Every entry made in Book V under section 43, shall be dated and signed by the Registrar. When a sealed cover is withdrawn under section 44, the entry relating thereto, made in Book V, shall be signed by the person by whom the withdrawal is made as well as by the Registrar Deposit and withdrawal of sealed covers. Sections 43 and 44.

46. When a sealed cover containing a will is opened under section 45 the following endorsement shall be made on the will:—

"Having satisfied myself that the testator hereof is dead, the sealed cover containing this will is opened on the application and in the presence of (name and address) this day of 19 ."

*A. B.,  
Registrar.*

the seal and signature of the registering officer, shall be endorsed on every sheet.

ent stamps.  
52, 53,

54. The Inspector-General may specially authorize any registering officer to use stamps for making, on documents presented for registration, the endorsements and certificate prescribed by sections 52, 53 and 60. The stamps to be used must be obtained on indent from the Inspector-General's office and must be kept in the personal custody of the registering officer and be kept in a sealed bag when not in use. The endorsements must be impressed on the documents by the registering officer himself, and no one else may, on any account whatever, be allowed to handle them. The endorsements and certificate must be signed and the blank spaces therein must be filled in by the registering officer in his own hand and stamps may not be used for affixing signature.

Section 55.

55. Indexes Nos. I, II, III and IV shall be prepared, lettered alphabetically, and shall contain the particulars shown in the forms herewith appended. They may be prepared either in English or the Vernacular at the option of the registering officer, but no change shall be made in a language once adopted except at the beginning of a calendar year. If the indexes kept in English,

\* Not reprinted. the transliteration of native names of persons and places shall be regulated by the transliteration

table\* hereunto appended, except in the case of names which have become stereotyped by long usage in a conventional form. All names shall be entered in full. Initials shall not be used. If a person is known under two names each shall be separately indexed. All names of persons shall be indexed with reference to the initial letter of the surname or house-name where such exists. When it does not exist, the indexing must be regulated by the initial letter of the person's name, his village name, or any other distinguishing name which he bears being entered afterwards if he is a Hindu, and if a Muhammadan any such prefixes as Syed, Mir, Shaik, Ghulam or such affixes as Beg, Khan, Shareef. If a native woman bears the house-name of her husband, father, etc., the indexing shall be with reference to the initial letter of the house-name, otherwise with reference to the initial letter of her own name. The names of companies, banks, etc., shall be entered under the initial letter of the first word of the name omitting "The" as "The Land Mortgage Bank of India" under L. All instruments to which Government is a party shall be indexed together under the letter G, one or more pages being specially set aside for these entries. English names if indexed in the vernacular shall be indexed as they would be written in the vernacular, as Wilson under V., Wright

under R., Knox under N. The names of all persons executing documents shall be entered in one column and the names of all persons claiming under documents in another column. In indentures, deeds of partition, and similar instruments, the fact that the party claiming under the document is also an executing party shall be indicated by writing the name across both these columns. In the case of instruments executed by, for, or in favor of Government or a Company, Bank, Religious Society, Pagoda, etc., in the name of any persons representing or acting on behalf of Government, or the Company, Bank, etc., shall be entered in the column headed Addition of person. Index II shall also contain a reference in red ink to the last previous registration of any instrument affecting the same property, if such previous registration be known.

In the case of a will or an authority to adopt, the names of the testator or the donor shall be entered in column 1, and of the executors or other persons appointed thereunder in column 2, followed by the words "Executor or Person appointed thereunder" in brackets.

A copy of Indexes I, II, III and IV shall be prepared by the Sub-Registrar simultaneously with the original, and sent to the Registrar not later than the 15th of the following month, who shall ascertain that it is properly prepared and legibly written, and, if necessary, return any of the sheets for correction or explanation. If there are errors which he has power to rectify under section 68, he shall issue the necessary order. If there are errors which cannot be remedied, he shall nevertheless point them out in order that they may not be repeated. The Registrar shall then forward not later than the 15th of the next following month the Sub-Registrar's index sheets in original to the Inspector-General's office for inspection and such further orders as may be deemed necessary together with a copy of his instructions as also a copy of his own index entries for the past month, accompanied by a memorandum specifying the number of sheets belonging to each office. The indexes will, after examination in the Inspector-General's office, be returned to the Registrar to be recorded in his office. When all the indexes of the Sub-Registrar have been examined and arranged in order, they shall be bound in volumes containing each about 500 pages. The set of volumes containing Index I shall be distinct from the set of volumes containing Index II. If an index is bound up in parts, the title page shall show which part and what letters the volume contains. If several sets of indexes are bound up in a single volume, each shall be preceded by a title page showing the number of the index,

Copies of Indexes.  
Section 50.

the year and the office to which it relates. The same particulars shall also be shown on a label affixed to the back of each volume.

63. 57. If in any special case an oath appears necessary, it may be administered to Christians, Jews and Parsees in the following form:—

“The evidence which you shall give shall be the truth, the whole truth, and nothing but the truth. So help you God.”

The following form of affirmation may be administered to Hindas and Muhammadans under the Indian Oaths Act:—

“I solemnly affirm in the presence of Almighty God that what I say shall be the truth, the whole truth, and nothing but the truth.”

58. When execution is admitted and the endorsement is signed by the party admitting execution, and when witnesses are examined merely with reference to the identification of the parties appearing, the prescribed endorsement is itself a sufficient record. But a record of substance of statements shall be kept in the following cases:—

- (a) When execution is denied.
- (b) When a person admitting execution refuses to sign the endorsement.
- (c) When any enquiry is held as to the death of a deceased executing party.
- (d) When any enquiry is held as to the right of any person to appear as the executor, administrator or heir of a deceased person or as the guardian of an infant or as the curator of a lunatic or idiot.
- (e) When any enquiry is held as to the age of any person appearing to be a minor or the sanity of any person appearing to be a lunatic or an idiot.
- (f) When any enquiry is held regarding the cause of presentation of documents or the appearance of parties after the prescribed period.
- (g) When any enquiry is held as to the addition of any person owing to the addition not appearing either in the document or in the endorsement.
- (h) When any enquiry is held under the second clause of section 41 as to the fact specified therein, in respect of a will or authority to adopt, presented for registration after the death of the testator or the donor as the case may be.

(g) When any enquiry is held under section 74 as to the fact of the execution of a document.

(j) And generally in all cases in which a record may seem necessary.

All such notes, with the exception of those under (h) and (i) which will be kept with the record of the enquiry, shall be recorded in a book, which shall be kept for that purpose in every registration office.

59. In the event of the Sub-Registrar failing to forward his returns or copies of indexes on the prescribed date or allowing any other arrears to accrue, the payment of pay to his office may be suspended. Arrears of work. Sections 68 and 69.

60. In the event of any registering officer registering a document without collecting the prescribed fee or fine, he shall, unless specially exempted by the Inspector-General, be required to make good any amount which he may fail to recover from the parties. Neglect in collecting fees or fines. Sections 68 and 19.

61. In the event of a document being inadvertently registered in a wrong book, the registration shall stand, but the Registrar may direct that the document with the endorsement and certificate thereon shall be copied into its appropriate register without further charge. Registration in a wrong book. Section 65.

A certificate should be endorsed on the document below the former certificate to the following effect:—

“Registered again under rule 61 in Book I, Volume , pages .

62. The office of the Registrar and that of the Sub-Registrar shall be provided with one or more good almirahs, substantially made and fitted with locks. Except during office hours, all registers, indexes, documents and other records shall be locked up in these almirahs, and the key shall remain in the possession of the registering officer. No person shall be permitted to remove any of the registers from the office, and every precaution shall be taken to protect them from the ravages of white ants, accidents from fire and injury from damp. Custody of books and other records. Section 69.

63. The key of the fire-proof safe in which sealed covers and wills which have been opened are deposited shall remain in the personal custody of the Registrar. Every officer assuming charge of a Registrar's office, either permanently or temporarily, shall compare the sealed covers and wills which have been opened with the entries in the Register of Deposits of Wills and Authorities to adopt, and shall report either that they all are correct, or that certain sealed covers or wills are missing. Custody of sealed covers and wills which have been opened. Sections 16 and 69.

64. The following records may be destroyed after the expiration of three years from the period to which they relate.

- (1) Receipts for documents under sections 52 and 61.
- (2) Monthly returns and routine correspondence.



The sanction of the Inspector-General must be obtained for the destruction of all books or papers, and no books, papers, or documents shall be destroyed either under this rule or under rule 22 without the sanction of the Inspector-General being obtained.

65. The Sub-Registrar shall forward to the Registrar a full report of every prosecution instituted by him under section 83.

66. The Registrar shall once in a year about six months after the annual inspection which shall be held in April every year, send for the registers and indexes of the Sub-Registrar for examination in his office noting the date of examination after the last entry with his signature. The books should not be detained beyond 8 or 4 days, and until they are received back by the Sub-Registrar he shall receive and retain in his personal custody any document that may have been presented in the interval for registry, making on it the requisite endorsements, etc., without delay. The Registrar will forward to the Inspector-General copies of the notes made, and of the orders issued by him with reference to such examinations.

67. The forms appended hereto shall be adopted in the respective offices as far as possible.

## APPENDIX I.

### FORMS OF REGISTERS AND INDEXES.

*Book I.—Register of non-testamentary documents relating to immoveable property.*

No. of Instrument.	Date of the Instrument.	Copy of Instrument.	Copy of Endorsements and Certificates.
1	2	3	4
		Value of Stamp Rs.            As.	
		References to back registration Book No.        Vol P. No	

*Book II.—Record of Reasons for Refusal to Register.*

No.	Value of stamp.	Date of document.	Date and hour of presentation.	Names of parties who presented the instruments for registration.	Names of executants.	Names and addresses of persons examined.	Particulars of the instruments and the names of all claimants and attesting witnesses	Reasons for refusal.	Orders issued on appeal.
1	2	3	4	5	6	7	8	9	10

*Book III.—Register of Wills and Authorities to adopt.*

Number of the instrument	Number in Book V.	Name and addition of testator or donor.	Names and additions of persons examined.	Copy of the instrument.	Copy of endorsements and certificates.
1	2	3	4	5	6

*N.B.*—The notes required to be made in Registrar's Office under sections 45 and 46 of the Registration Act will be entered in column of "Copy of endorsement and certificate."

*Book IV.—Miscellaneous Register.*

Number of the instrument	Date of the instrument.	Copy of the instrument.	Copy of endorsements and certificate
1	2	3	4
		Value of Stamp Rs.      As. References to back Registration Book No. Vol.      P. No.	

*Book V.—Register of Deposits of Wills.*

1	Number		
2	When presented	Date	
		Hour	
3	Name and addition of testator		
4	Whether presented in person or by agent		
5	Nature of instrument		
6	Name and addition of agent, if any		
7	Superscription on sealed cover		
8	Inscription on the seal		
9	Persons testifying to the identity of testator or agent	Name	
		Addition	
10	Date of application to withdraw sealed cover		
11	Name of applicant		
12	Persons testifying to the identity of applicant	Name	
		Addition	
13	Date of delivery of sealed cover to applicant and the signatures of the applicant and the registrar		
14	Number of document in Book III		

*Nominal Index I to Book No. I.*

NAME OF		Addition	Village or place where property is situated.	Volume	First page of entry	Number of document
Executant	Claimant					

*Descriptive Index II to Book No. I.*

Village or place in which property is situated	Name and description of property	VALUE OF STAMP		DATE OF			Nature and value of transaction	NAMES OF ALL		No. OF		
		Rs.	As.	Execution	Presentation	Appearance of executant		Executants	Claimants under documents	Volume	1st page of entry	Document

*Nominal Index III to Register Books III and V.*

Name of person	Addition of person	NUMBER OF			Number of the instrument	Under what letter indexed
		Register	Volume	Page		

*Nominal Index IV to Book No. IV.*

Name of person	Addition of person	Nature of instrument	NUMBER OF			DATE OF		
			Volume	Page	Instrument	Instrument	Presentation for registration	Appearance of executants

(RULE 14) Receipt under section 52 of Act XVI of 1908,  
the Indian Registration Act.

Received from \_\_\_\_\_ a document which will be registered as  
document No. \_\_\_\_\_ in Register Book No. \_\_\_\_\_  
The document will be ready for return on \_\_\_\_\_

<i>Memo. of fees paid.</i>	Rs.	A.	P.
Registration fees	...	...	...
Fees for excess in words (No. of words)	...	...	...
Fines under section 25 or 34	...	...	...
Fees for attendance at private residence	...	...	...
Searching fees	...	...	...
Copying fees (No. of words)	...	...	...
<b>TOTAL...</b>			

BANGALORE:

191 .

Document returned on \_\_\_\_\_

*Sub-Registrar.*

*Sub-Registrar.*

### ENDORSEMENT.

(To be printed on back.)

Nomination under section 61 of Act XVI of 1908.

Document mentioned on the reverse.  
Date \_\_\_\_\_ is authorised to receive the

*Signature and thumb impression  
of the presenting party.*

*Signature and thumb impression  
of the nominee.*

I acknowledge the receipt of the document registered as No.  
of Book No. \_\_\_\_\_

Dated \_\_\_\_\_  
*Signature of presenting party or  
nominee or messenger.*

Receipt under section 52 of Act XVI of 1908, the  
Indian Registration Act.

Received from \_\_\_\_\_ a document  
which will be registered as document No. \_\_\_\_\_  
in Register Book No. \_\_\_\_\_

The document will be ready for return on \_\_\_\_\_

### *Memo. of fees paid.*

Rs.

A.

P.

Registration fee	...	...	...
Fees for excess in words (No. of words)	...	...	...
Fines under section 25 or 34	...	...	...
Fees for attendance at private residence	...	...	...
Searching fees	...	...	...
Copying fees (No. of words)	...	...	...

**TOTAL**

...

BANGALORE: \_\_\_\_\_  
191 .

*Sub-Registrar.*

Document returned on \_\_\_\_\_

*Sub-Registrar.*

## APPENDIX II. A.

### MISCELLANEOUS.

*Commission under section 33 (or under section 38).*

To

X

Y

Whereas the accompanying power-of-attorney (or document), dated the \_\_\_\_\_, and purporting to have been executed by A. B., has been presented for attestation (or registration) in this office, and whereas it is necessary that it should be ascertained whether it has been voluntarily executed by the person by whom it purports to have been executed, you are hereby directed to take the examination of \_\_\_\_\_ upon the interrogatories hereunto attached, and to return this commission with the examination of the said \_\_\_\_\_ to this office on or before the \_\_\_\_\_ day of \_\_\_\_\_.

Given under my hand and seal this

day of

19

Signature \_\_\_\_\_

Seal.

## APPENDIX II, B. &amp; C.

ENDORSEMENTS AND CERTIFICATES UNDER SECTIONS 52, 58, 59, 60, 61 AND 62 OF THE REGISTRATION ACT.

(f) (When the executant or claimant presents the document in person.)

Presented on the \_\_\_\_\_ at \_\_\_\_\_ in the Office of the \_\_\_\_\_  
(or at the private residence \_\_\_\_\_)

of A. B.) by the undersigned.

(Signed) A. B. (with addition).

The undersigned admits the execution (and receipt of Rs. being consideration in whole or in part) of this document.

**Thumb impression.**

(Signed) A. B. (with addition).

(ii) (When execution is admitted, but signature refused.)

A. B. (with addition) admits the execution of this document, but refuses to endorse it to that effect.

*Registering Officer's signature.*

---

(iii) (When the identity of the executant is known to the Registering Officer.)

The identity of the executant is known to the undersigned.

*Sub-Registrar.*

---

(iv) (When the identity of the executant is unknown to the Registering Officer but testified by witnesses.)

The executant (or his representative as the case may be) A. B. (with his addition in full) is well known to C. (with his additions) who certify in my presence to the identity of the executant (or his representative) and sign this endorsement as identifying witnesses.

*Signature of the identifying  
witnesses in full.*

*Registering Officer's signature.*

---

(v) (When a witness has been examined for any other purpose under section 63, the substance of his evidence should be briefly noted in the margin of the Register Book with his signature, and the following endorsement shall be made on the document.)

The undersigned person has been examined in reference to this document.

*Signature and addition of the witness.*

---

(vi) (When consideration is acknowledged.)

A diamond ring delivered in my presence by A. B. and C. D. to E. J. and Rs. 750 paid by E. J. to A. B. and C. D., who both admit having received the remaining Rs. 250 referred to in this document.

C. H. admits having received Rs. \_\_\_\_\_, being part (or whole) of the consideration named in this document.

*Date.*

*Registering Officer's signature.*

*Form of Certificate.*

Registered as No. 106 of Book No. , volume , pages-  
to

Fee paid Rs.

*Registering Officer's signature.*



*Date.*

(vi) (When the document is presented by a representative, assign, or agent of executant or claimant with power to present for registration or to admit execution )

Presented on the  
at in the office of the  
by the undersigned under a power-  
of-attorney produced, dated , and attested by  
, authorising the undersigned to (either present or  
to admit execution, as the case may be, on behalf of ).

*Signature and addition of Representative,  
Agent or Assign.*

*Sub-Registrar's Signature.*

The undersigned representative, assign or agent admits the execution of  
this document on behalf of under a power-of-attorney dated  
and authenticated by .

Thumb impression.

*Signature and addition of Representative,  
Agent or Assign.*

(viii) (When a document executed by A. B. and C. D. at different times  
has been presented for re-registration under section 24.)

Presented again on the  
at in the office of the  
or registration under section 24 by the undersigned C. D

*Signature and addition of C. D.*



(ix) When a document is registered under an order of Court, under section

(the first entry will be).

Presented on the \_\_\_\_\_, the office of the Sub-Registrar of  
at \_\_\_\_\_ by the undersigned under an  
order of the Civil Court of \_\_\_\_\_ No.  
of \_\_\_\_\_

*Signature of the Sub-Registrar.*

[*Gazette of India*, 1913, Pt. II, p. 269]

<sup>1</sup>No. 131, dated the 12th August 1878.—It is hereby notified for general information that the following revised table of registration fees [for the Civil and Military Station of Bangalore] sanctioned by the Government of India, Home Department, under date the 12th July 1878, will be brought into force from 1st September 1878.

TABLE OF REGISTRATION FEES WITH RULES UNDER SECTION 78 OF ACT III OF 1877.

The registration fees payable to the several offices of registration in [the Civil and Military Station of Bangalore] shall be as follows :—

I. For registration of documents of the classes registrable in book I relating to immovable property :—

	R	s	p.
(a) When the value of the document does not exceed Rs50	0	8	0
(b) Exceeding Rs50 but not exceeding Rs100	1	0	0
(c) " Rs100 " " Rs200	2	0	0
(d) " Rs200 " " Rs500	3	0	0
(e) " Rs500 " " Rs1,000	4	0	0
(f) And for each additional Rs500 or part thereof	1	0	0
(g) When the value of the document is not specified	5	0	0
(h) Certified copies of decrees, orders of Courts and awards (Section 17, Clause 1)	2	0	0

II. For registration of wills and authorities to adopt Book III) :—

(a) If presented open (Sections 17 and 18, clause (e))	3	0	0
(b) For entering in Book III (Section 45) the contents of a sealed cover containing a will deposited (Section 42), copying fee per 100 words	0	4	0

<sup>1</sup> Footnote No. 1 on page 648 *supra* applies equally to this notification.

III. For optional registration of documents registrable in Book IV (Section 18, clause d and f) not relating to immovable property :—

	<i>R a. p.</i>
(a) When the value of the document does not exceed R50 . . . . .	0 8 0
(b) Exceeding R50 but not exceeding R100 . . . . .	1 0 0
(c) „ R100 . . . . . half the amount of fee prescribed for a like value in clause 1 for registration in Book I.	
(d) When the value is not specified . . . . .	5 0 0
IV. For registration of sealed covers, Book V—	
(a) For deposit and entry in Book V of a sealed cover purporting to contain a will (Section 42) . . . . .	3 0 0
(b) Withdrawal of a sealed cover (Section 41) . . . . .	3 0 0
(c) Application under section 45 to open a sealed cover deposited under Section 42 (in addition to copying fee, vide Clause II (b) . . . . .	2 0 0
V. Registration by a Registrar (Section 30, clause a) extra fee . . . . .	5 0 0
VI. Registration by the Registrar of [the Civil and Military Station of] Bangalore (Section 30, clause b) extra fee . . . . .	10 0 0
VII. Preparation of a memorandum of a document under Section 64, 65 or 68 . . . . .	1 0 0
(a) Additional copies of such memorandum per 100 words . . . . .	0 4 0
VIII. Search (Section 57) . . . . .	1 0 0
IX. Granting certified copies or extracts from Registers, Indexes or any documents (Sections 57 and 76) per 100 words . . . . .	0 4 0
X. Attesting power-of-attorney, special (Section 33) . . . . .	1 0 0
XI. Attesting power-of-attorney, general (Section 33) . . . . .	2 0 0
XII. Filing a translation (Section 19) . . . . .	1 0 0
XIII. Filing certificates issued under the Land Improvement Act of 1871 (Section 89) . . . . .	No fee.
XIV. For attendance of registering officers at private residences (Sections 31, 33 and 35) . . . . .	10 0 0
XV. For the issue of a commission (Sections 33 and 35) . . . . .	10 0 0
(a) If the service of a female is required, additional fee as remuneration for her . . . . .	5 0 0
(b) If a Registrar be required to visit a private residence, his remuneration (per mile) . . . . .	0 8 0
(c) If a Sub-Registrar be required to visit a private residence, his remuneration (per mile) . . . . .	0 4 0
(d) Other persons deputed to take an examination (per mile) . . . . .	0 4 0
XVI. For the safe custody and return of documents :—	
(a) For each month or part of a month during which a registered document is left unclaimed in a registering office after the expiration of one month from the date of its registration (to be paid before delivery of the document) . . . . .	1 0 0

(ix) When a document is registered under an order of Court, under section 77

(the first entry will be).

Presented on the \_\_\_\_\_, the office of the Sub-Registrar of  
at \_\_\_\_\_ by the undersigned under an  
order of the Civil Court of \_\_\_\_\_ No.  
of \_\_\_\_\_

*Signature of the Sub-Registrar.*

[*Gazette of India*, 1913, Pt. II, p. 269.]

<sup>1</sup>No. 131, dated the 12th August 1878.—It is hereby notified for general information that the following revised table of registration fees [for the Civil and Military Station of Bangalore] sanctioned by the Government of India, Home Department, under date the 12th July 1878, will be brought into force from 1st September 1878.

TABLE OF REGISTRATION FEES WITH RULES UNDER SECTION 78 OF ACT III OF 1877.

The registration fees payable to the several offices of registration in [the Civil and Military Station of Bangalore] shall be as follows :—

I. For registration of documents of the classes registrable in book I relating to immovable property :—

	R	s.	p.
(a) When the value of the document does not exceed R50	0	8	0
(b) Exceeding R50 but not exceeding R100	1	0	0
(c) " R100 " " R200	2	0	0
(d) " R200 " " R500	3	0	0
(e) " R500 " " R1,000	4	0	0
(f) And for each additional R500 or part thereof	1	0	0
(g) When the value of the document is not specified	5	0	0
(A) Certified copies of decrees, orders of Courts and awards (Section 17, Clause i)	2	0	0

II. For registration of wills and authorities to adopt Book III) :—

(a) If presented open (Sections 17 and 18, clause (e))	3	0	0
(b) For entering in Book III (Section 45) the contents of a sealed cover containing a will deposited (Section 42), copying fee per 100 words	0	4	0

<sup>1</sup> Footnote No. 1 on page 648 *supra* applies equally to this notification.

with reference to the same instrument or instruments in which they are all concerned or where they execute a joint power or several powers-of-attorney; but in the last case the attestation fee must be levied on each power.

8. If a single power-of-attorney be executed by several individuals who require the registering officer's attendance at different places or at different times both the attestation fee and the attendance fee (clauses X, XI and XIV) shall be levied from each executant.

9. If a power-of-attorney be brought for attestation and registration is also requested and insisted on, although unnecessary, it should be registered and both fees (clauses I and X or XI) must be levied.

10. If several persons intending to execute a joint power-of-attorney appear together, at the Registration Office, only one attestation fee (clause X or XI) shall be levied although the instrument may have been prepared in such a form as to require the registering officer's signature more than once. But if the parties appear at the office and execute it on different days or at different hours of the same day, the attestation fee shall be levied on each occasion.

11. \* \* \* \* \*

12. When a copy of instrument has to be sent to the Registrar of another district, such copy should be charged for at the rate of four annas per 100 words, and a fee equivalent to that chargeable under the rates of such district for each memorandum issuable under Section 66 must be levied and remitted to the Registrar.

13. If a person applying for a certified copy is able to specify the number and year of the instrument or the page and volume of the book in which it is entered the fee for a certified copy (clause IX) shall alone be levied, but if a search is necessary the fee for a search (clause VIII) must be levied as well as that for a certified copy.

14. In a certified copy every figure shall count as a word. If initials or abbreviations are used instead of words, every initial or abbreviation shall count as a word. Thus "A. D. 1866" will be equivalent to six words; "Bounded on the N. E." to five words; and "A. R. Thompson" to three words.

15. No charge shall be made for granting copies of reasons for refusal when given by a Sub-Registrar.

[*Mysore Gazette*, 1878, Pt I, p. 211]

No. 4069, dated the 29th July 1905.—In exercise of the powers conferred by section 33 of the Indian Electricity Act, 1903 (III of 1903),<sup>a</sup> as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in

Indian Electricity Act, 1910. Extra.

<sup>a</sup> See now the Indian Electricity Act, 1910 (IX of 1910, as amended by Act No. 732 of 1921 dated the 19th March 1921. Printed Vol. I, p. 520.

NOTE.—The Inspector-General of Registration may, in his discretion, remit the fee when it appears to him that its exaction would be productive of injustice or hardship.

(b) For the transmission of a registered document at the request of the presenter. Peon's batta (per five miles or part of five miles) (to be levied at the time of presentation) . . . 0 2 0

XVII. On all documents registered if containing more than 300 words an additional fee at the rate of 4 annas per 100 words or fraction of 100 words shall be charged for the number above 300

XVIII. All copies of registered documents, endorsements, and certificates required to be transmitted from one office to another under the provisions of sections 65, 66 and 67 shall be prepared at the expense of the parties applying for registration at the rate of 4 annas per 100 words.

XIX. If a document tendered for registration has one or more schedules appended to it they shall be charged for at the above rate according to the aggregate number of words contained in them.

XX. When a duplicate or counterpart of a document or lease is registered at the same time as the original, the registration of such duplicate or counterpart shall be charged for at the above rate.

### RULES.

1. In leases of immovable property where the period is specified, the total rent payable for the whole period shall be the value (clause I).

2. In leases where the period is not specified, the aggregate amount payable for a term of five years shall be the value (clause I).

3. In cases where the amount of rent payable is not specified, or where payment is to be made in kind without specification of value, the fee shall be Rs 5 (clause I (g) of the table).

4. No searching or copying fees (clauses VIII and IX) should be charged when a Government Officer searches a register, or takes a copy for bona fide public purposes.

5. No extra fee (clause V) shall be levied when an English document is registered before the Registrar of a district solely in consequence of the language in which it is written being unknown to the Sub-Registrar by whom it is properly registrable, or solely in consequence of the Sub-Registrar being a party interested in the transaction to which such deed relates.

6. The fee of Rs 10 for the issue of a commission or for attending at a private residence (clauses XIV and XV) should be levied in addition to any fee that may be chargeable for any other act performed on the occasion.

7. One attendance or commission fee of Rs 10 (clauses XIV and XV) shall be levied if several persons at the same time and place are examined

with reference to the same instrument or instruments in which they are all concerned or where they execute a joint power or several powers-of-attorney; but in the last case the attestation fee must be levied on each power.

8. If a single power-of-attorney be executed by several individuals who require the registering officer's attendance at different places or at different times both the attestation fee and the attendance fee (clauses X, XI and XIV) shall be levied from each executant.

9. If a power-of-attorney be brought for attestation and registration is also requested and insisted on, although unnecessary, it should be registered and both fees (clauses I and X or XI) must be levied.

10. If several persons intending to execute a joint power-of-attorney appear together, at the Registration Office, only one attestation fee (clause X or XI) shall be levied although the instrument may have been prepared in such a form as to require the registering officer's signature more than once. But if the parties appear at the office and execute it on different days or at different hours of the same day, the attestation fee shall be levied on each occasion.

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Indian Electricity  
Act, 1910, Rules.

<sup>1</sup> See now the Indian Electricity Act, 1910 (IX of 1910), as applied by notification No. 732-D., dated the 19th March 1913. Printed Vol. I, p. 390.

boundaries of the proposed area of supply and the streets and other places in, over, or along which it is proposed to place any electric supply-lines or other works;

- (c) a statement describing any lands which the applicant proposes to acquire for the purpose of the license under the provisions of the Land Acquisition Act, 1894, as applied to the Civil and Military Station of Bangalore;
- (d) a list of any local authorities in whose districts the area of supply is situate;
- (e) a list of any canals and navigable rivers which the applicant seeks power to cross;
- (f) if the applicant is a company registered under any of the enactments relating to companies for the time being in force in the United Kingdom, or in any of the Colonies or Dependencies thereof, or in British India, or incorporated by an Act of Parliament or of the Governor-General in Council, or by Royal Charter or Letters Patent, a copy of the memorandum and articles of association.

map and  
use for  
inspection.

4. The applicant shall also deposit at his own office or at that of his agent's and at the office of every local authority within the proposed area of supply—

- (a) a copy of the map referred to in rule 3, sub-rule (2), clause (b), for public inspection; and
- (b) a sufficient number of copies of the draft license to be furnished to all persons applying for them at a price not exceeding one rupee per copy.

draft

5. (1) The draft license shall be in print, printed on one side only of the paper, and each annexure shall begin a new page.

(2) The name and address of the applicant for the license and of his agent (if any) shall be printed on the outside of the draft.

of draft

6. The draft license shall contain the following particulars, namely—

- (a) the address and description of the applicant;
- (b) a description of the proposed area of supply;
- (c) a statement of the purposes for which the proposed supply is to be given;
- (d) a general description of the proposed works and system of supply;
- (e) a list of streets not repairable by the Local Government or by a local authority, and of railways, tramways and bridges, which the applicant seeks power to open, break up or interfere with;

- (f) a list of the canals and navigable rivers which the applicant seeks power to cross;
- (g) the proposed conditions of supply, including maximum prices, nature and amount of supply (if limited), and the like;
- (h) the proposed terms and conditions of purchase by any local authority concerned, and the periods after which the right to purchase is to endure; and
- (i) any proposed modifications of the schedule to the Act to be made with the previous sanction of the Governor-General in Council, under section 4, sub-section (1), clause (f), thereof.

7. Where any person locally interested objects to the grant of a license Local enquiries. applied for under these rules, the Local Government shall, if either the applicant or the objector so desires, hold a local enquiry of which due notice shall be given:

Provided that the Local Government may refuse to hold such an enquiry if, in its opinion, the objection is of a trifling or vexatious nature.

8. Where a local authority, company, or person desires to have any clause Amendment of draft license. inserted or other amendment made in the draft license, a statement of the same shall be delivered to the applicant, and also to the Local Government, within the time limited for objecting.

9. When a license has been granted under section 3 of the Act and Copies of license for public inspection. delivered to the applicant, he shall forthwith deposit printed copies for public inspection in all the offices referred to in rule 4, and shall furnish copies to all persons applying for the same at a price not exceeding one rupee per copy, and shall further publish the same in such manner as the Local Government may direct.

10. Where a licensee desires the written consent of the Local Government Application for written consent of Local Government to breaking up street, etc., to be also in writing. under section 12, sub-section (4), of the Act to enable him to open or break up any street not repairable by a local authority, or any railway or tramway, application for such consent shall be made in writing and shall describe accurately the street, railway, or tramway which the applicant seeks power to open or break up, and the extent to which he proposes to open or break up the same.

#### AS TO THE PROTECTION OF PERSONS AND PROPERTY.

##### *Inspection and Testing.*

11. (1) Where a license has been granted under section 3 of the Act Entry and inspection. any Electric Inspector appointed under the Act may enter, inspect and examine any place in which the Inspector has reason to believe that there are any appliances or apparatus, other than meters on consumers' premises, used by the licensee in the generation or supply of energy.



(2) The licensee shall afford at all times all reasonable facilities to any such Inspector to make such examinations and tests as may be necessary to ensure the due observance of the Act, the license and these rules; and shall, if and when required, forward to such Inspector all records of tests made by him under these rules.

12. The licensee shall provide all means for carrying out tests prescribed by or under the Act of the appliances or apparatus used in the generation or the supply and use of energy.

13. The pressure of a supply delivered to any one consumer, other than a tramway company, shall not exceed 250 volts at any two terminals, within reach of one another, and not under the sole control of the licensee, except with the written approval of the Local Government, which shall be given only on the joint application of the consumer and the licensee and subject to such further conditions as the Local Government may prescribe:

Provided that the licensee shall be deemed to have complied with the requirements of this rule so long as the pressure does not exceed the limit laid down in this rule by more than the amount of variation authorized under rule 71.

14. The pressure of a supply delivered to a transforming station, or to a transforming apparatus, on a consumer's premises may exceed 250 volts, but shall not exceed the limits of high-pressure, except with the written approval of the Local Government, which shall be given only on the joint application of the consumer and the licensee, and subject to such further conditions as the Local Government may prescribe.

15. Where the insulating material on any electric supply-line is protected wholly or partly by an external metallic covering, such metallic covering shall be efficiently connected with earth.

16. Every low pressure main shall be tested by the licensee for insulation after having been placed in position, and before it is used for the purposes of supply, the testing pressure being at least double the maximum working pressure; and the licensee shall record the results of the tests of each main or section of a main or distributing main.

17. Suitable means shall be provided by the licensee for the immediate indication and localisation of leakage, and every leakage shall be remedied without delay.

18. (1) Where any portion of an electric supply-line or any support for an electric supply-line is exposed in such a position as to be liable to injury from lightning, the licensee shall adopt efficient means for protecting it against injury.

(2) Lightning arresters shall be capable of supporting successive discharges without attention.

*High-pressure and extra high-pressure supply.*

19. (1) No high pressure circuit shall be brought into use unless the insulation of every part thereof has withstood the continuous application during one hour of pressure equal to, or exceeding, the maximum pressure to which it is intended to be subjected in use to the following extent, that is to say,—

Testing of insulation of high-pressure or extra high-pressure circuit.

(a) in the case of every high-pressure electric supply-line, machine, device or apparatus, 50 per cent. greater than the said maximum pressure, or,

(b) in the case of extra high-pressure supply, equal to the said maximum working pressure in each case.

(2) The licensee shall make, and record the results of, every test prescribed by this rule.

20. In every case in which a high-pressure supply is transformed for the purpose of supply to one or more consumers, the best available automatic and quick-acting means shall be provided by the licensee to protect the consumer's wires from any accidental contact with, or leakage from, the high-pressure system, either within or without the transforming apparatus.

Safety devices for the protection of consumers' wires.

*Aerial lines.*

21. The sectional area of the conductor, if of copper, in an aerial line shall not be less than the area of a No. 10 wire of the British Standard Wire Gauge, or, if of any other material, of such sectional area as to be of equivalent tensile strength.

Minimum size of conductors of aerial lines.

22. The conductors of every aerial line shall be attached to supports at intervals not exceeding the following spans, namely:

Maximum intervals between supports.

(i) for a line of copper conductors of total section not exceeding one quarter of a square inch, or equivalent weight of wires of other metals, 200 feet;

(ii) for a line of copper conductors of total section one-quarter to one-half of a square inch, or equivalent weight of wires of other metals, 175 feet; and

(iii) for a line of copper conductors of total section exceeding one-half of a square inch, or equivalent weight of wires of other metals, 150 feet :

Provided that in any specific instance where, in the opinion of an Electric Inspector appointed under the Act, the circumstances do not admit of it, this rule shall not apply:

Provided also, that the Local Government may in any license, or by order in writing, modify this rule to such extent as it may think fit.

23. (1) Every support of an aerial line shall be of a durable material, firmly erected and, where necessary, properly stayed against forces due to wind pressure, change of direction of the line, or unequal lengths of span.

(2) The factor of safety of the aerial line shall, at the minimum temperature of the locality, be at least four, and the factor of safety of all other parts of the structure at least four under all conditions, the maximum possible wind pressure being taken at 50 lbs. per square foot.

(3) For cylindrical bodies, such as posts and wires, the effective area shall be taken as two-thirds of the total area exposed to pressure.

(4) Every support, if of metal, shall be efficiently connected with earth in so far as the nature of the ground in which the support is fixed makes this practicable.

24. Subject to the provisions of rules 64 and 65, no conductor of an aerial line shall be at a less height from the ground than 20 feet or within 5 feet measured horizontally or 7 feet measured vertically from any building or erection other than a support for the line, unless it has been brought into a building for the purpose of supply.

Provided that the Local Government may, by order in writing, permit any modification of this rule which it may consider necessary.

25. Except with the written approval of the Local Government and of the telegraph authority, aerial lines shall be carried along only one side of a street.

26. (1) Aerial service lines shall be led as directly as possible to insulators firmly attached to some portion of the consumer's premises and (unless surrounded or guarded by a suitable metallic guard efficiently connected with earth) at a distance not less than 5 feet therefrom.

(2) Such service lines shall not be accessible to any person without the use of a ladder or other special appliance, and from the point of attachment they shall be enclosed and protected in accordance with rules 42 to 44 as to a licensee's lines on a consumer's premises.

27. (1) Where an aerial line, other than a trolley wire for electric traction, crosses a street, the angle between the line and the direction of the street at the place of crossing shall be not less than 60 degrees, and there shall be no joint in any wire at the place of crossing.

(2) Where the width of the street exceeds 30 feet, a support shall be erected by the licensee on each side of it and the space between the supports shall be as short as practicable.

(3) This rule shall not apply to service lines protected with a device, approved by the Local Government, for rendering any line harmless in case it breaks: and where the rule applies, the Local Government may, by order in writing, permit any modification of it which it may consider necessary.

28. (1) Where an aerial line crosses, or is in proximity to, an aerial line Crossing wire. belonging to another licensee, or to any telegraph wire not protected with a permanent insulating covering, adequate precautions shall be taken by the licensee against the possibility of his line coming into contact with the other line or wire, or of the other line or wire coming into contact with his line, by breakage or otherwise

(2) The guarding of aerial lines shall be carried out in such manner as the Local Government, after consultation with the telegraph authority, may, by general or special order, in any case direct.

(3) A licensee shall not commence the supply of energy through any aerial line until it has been guarded and protected, as required by sub-rules (1) and (2), wherever it crosses, or is crossed by, any existing aerial line or telegraph wire.

(4) On receiving notice that a new aerial line or telegraph wire is, or will be, erected across an existing aerial line, the licensee shall arrange to have his line guarded at such place within 15 days of the receipt of the notice, and in such case the actual expense incurred in erecting the guard wires shall be refunded to the licensee by the owner of the new aerial line or telegraph wire.

(5) Where an aerial line crosses, or is liable to be blown on to, a metal roof or other metallic substances, efficient means shall be taken by the licensee to prevent the electrical charging of the same in case of accident; and there shall be no joint in any such span of an aerial line.

29. (1) Except with the written consent of the Local Government, high-pressure and low-pressure aerial lines shall in no case be carried on the same High pressure and low-pressure aerial lines not allowed on same supports supports, unless when they cross one another.

(2) Whenever a high-pressure aerial line crosses a low-pressure aerial line, it shall pass above the low-pressure aerial line and in a direction as nearly at right angles as the nature of the case admits, and the provisions of rule 28 shall apply.

30. The following precautions shall be taken by the licensee with regard to high-pressure and extra high-pressure aerial lines, namely :—

- (a) Arrangements shall be made to prevent any person from climbing up such a support without the use of a ladder or special device.
- (b) Where the high-pressure conductors cross over a public road, railway or canal, a suitable device shall be fitted up to render any wire harmless, if it should break.
- (c) Stay wires on any such support shall be broken electrically below the line wires by the interposition of suitable strain insulators, unless efficiently connected with earth through a suitable earth plate.

31. (1) Every high-pressure aerial line, if continuously covered with insulating material, shall be efficiently suspended by means of insulating ligaments to suspending wires, so that the weight of the line may not produce any sensible stress in the direction of its length.

(2) All suspending wires, if of iron or of steel, shall be galvanised.

32. Every aerial line, including the supports thereof and all the structural parts and electrical appliances and devices belonging thereto or connected therewith, shall be duly and efficiently supervised and maintained by the licensee as regards both electrical and mechanical conditions.

33. The licensee shall not leave an aerial line erected after it has ceased to be used for the supply of energy, unless he intends within a reasonable time again to take it into use.

*Electric supply-lines and apparatus other than aerial lines.*

34. Where an electric supply-line crosses, or is in proximity to, any metallic substance precautions shall be taken by the licensee against the possibility of the metallic substance becoming charged.

35. Where isolated lengths of metal conduits, pipes or casings are used for the protection of any electric supply-line at road-crossings or in similar positions, special precautions shall be taken by the licensee to prevent the possibility of any electrical charging thereof.

36. (1) Where the conductors of electric supply-lines placed in any conduit are not continuously covered with insulating material, they shall be secured in position, and no unfixed uninsulated material of a conducting nature shall be contained in the conduit, nor shall the pressure in such conductor be higher than 500 volts.

(2) Adequate precautions shall also be taken by the licensee to insure that no accumulation of gas or water shall take place in any part of the conduit,

and to prevent any dangerous access of moisture to the conductors or insulators.

(3) The insulators shall be so disposed that they can be readily inspected.

(4) The restriction in sub-rule (1) as to pressure shall not apply where an aerial line is taken into a conduit for the purpose of passing through an embankment or similar obstruction, but in such a case no low-pressure conductor may be laid in the same conduit with a high-pressure or extra high pressure one.

37. Every portion of a high pressure electric supply-line (not being an aerial line) placed above the surface of the ground or in any sub-way not in the sole occupation of the undertakers, shall be completely enclosed either in a tube of highly insulating material embedded in brickwork, masonry, or concrete, or in a strong metal casing efficiently connected with earth. High-pressure electric supply-lines laid above ground.

38. Where a high-pressure electric supply-line is laid beneath the surface of the ground, efficient means shall be taken by the licensee to render it impossible that the surface of the ground or any neighbouring electric supply-line or conductor shall become charged by leakage therefrom. High-pressure electric supply-lines laid under ground.

39. (1) Transforming stations, which are not on a consumer's premises shall be established in suitable places in the sole occupation and charge of the licensee. Transforming stations.

(2) The covers and frames and other metallic parts (other than parts of the electrical circuit) of all high-pressure and extra high-pressure apparatus of every description shall be either efficiently connected with earth, or, if insulated, so placed and arranged that it is impossible for any person to obtain a shock to earth from them.

40. (1) The cover of every street-boxes\* and junction pillar shall be so secured that it cannot be opened except by means of a special appliance. Street-boxes and junction pillars.

(2) The covers of all street-boxes and junction pillars containing high-pressure apparatus other than cables shall be connected with strips of metal laid immediately beneath the adjacent roadway, and efficient means shall be taken to render it impossible that the covers or other exposed parts of any such street-box, or any adjacent material forming the surface of the street shall become electrically charged, whether by reason of leakage, defect or otherwise.

(3) Where street-boxes are used as transformer chambers, reasonable means shall be taken by the licensee to prevent, as far as possible, any influx of water either from the adjacent soil or by means of pipes, and, in the case

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\* Sic. Read "street box."



Provided, also, that where, from the nature of the soil or for any other reason, the licensee can show, to the satisfaction of an Electric Inspector appointed under the Act, that such earth connections as are required by this sub-rule cannot be constructed and maintained without unreasonable expense, the provisions of this rule shall not apply.

(2) The earth connections required by sub-rule (1) shall be constructed, laid, and maintained so as to secure electrical contact with the general mass of earth, and so that the resistance from one earth connection to the other through the earth shall not exceed two ohms; and a test shall be made by the licensee at least once in every month to ascertain whether this requirement is complied with.

(3) No portion of either earth connection shall be placed within six feet of any pipe, other than a main for water-supply of not less than three inches internal diameter which is metallically connected with the earth connection with the consent of the owner of the main and of the person supplying the water.

(4) Where the generator is at a considerable distance from the tramway, the uninsulated return shall be connected with the negative terminal of the generator by means of an insulated return, and the generator shall have no other connection with the earth; and in such case the end of the insulated return connected with the uninsulated return shall be connected also through a current-indicator with two separate earth connections or, with the necessary consents, with a main for water-supply, or, with the like consents, with both in the manner prescribed in this rule.

(5) If the current-indicator cannot conveniently be placed at the connection of the uninsulated return with the insulated return, this instrument may consist of an indicator at the generating station connected by insulated wires with the terminals of a resistance interposed between the return and the earth connection or connections. The said resistance shall be such that the maximum current laid down in rule 51, sub-rule (1), clause (i), shall produce a difference of potential not exceeding one volt between the terminals. The indicator shall be so constructed as to indicate correctly the current passing through the resistance when connected with the terminal by the insulated wire above-mentioned.

51. (1) Where the return is partly or entirely uninsulated, the licensee shall, in the construction and maintenance of a tramway,— Earth return  
current.

(a) so separate uninsulated return from the general mass of earth and from any pipe, metallic structure or substance in the vicinity,

(b) so connect together the several lengths of the rail,



sparking, or heating being caused by the operation of the switch ;  
and

- (d) that, where the switch is accessible without the use of a ladder or special appliance, it shall be in a locked metallic receptacle efficiently connected with earth.

#### AS TO ELECTRIC TRACTION (CONTINUOUS CURRENT).

49. Every dynamo used as a continuous current generator shall be of such pattern and construction as to be capable of producing a continuous current without appreciable pulsation.

50. (1) One of the two conductors used for transmitting energy from the generator to the motor (hereinafter referred to as a "line") shall in every case be insulated from earth.

(2) The other conductor (hereinafter referred to as a "return") may be insulated throughout, or may be uninsulated in such parts and to such extent as is provided in the following rules.

(3) A suspended aerial line from which energy is transmitted into a car, is hereinafter referred to as a "trolley wire."

51. (1) Where any rails on which cars run, or any conductors laid between or within three feet of such rails, form any part of a return, such part may be uninsulated.

(2) All other returns or parts of a return shall be insulated, unless of such sectional area as will ensure compliance with rule 55.

52. (1) Where an uninsulated conductor forms any part of a return, it shall be of such section, and the several lengths shall be so connected together, as to ensure compliance with rule 55.

(2) Where an uninsulated conductor is laid between, or within three feet of, the rails, it shall be electrically connected with the rails at distances apart not exceeding 100 feet by means of copper strips having a sectional area of at least one-sixteenth of a square inch, or by other means of equal conductivity.

53. (1) Where any part of a return is uninsulated, it shall be connected with the negative terminal of the generator, and in such case the negative terminal of the generator shall also be directly connected, through the current indicator hereinafter mentioned, with two separate earth connections, which shall be placed not less than twenty yards apart :

Provided that in lieu of two such earth connections, the licensee may make one connection with a main for water-supply of not less than three inches internal diameter, with the consent of the owner of the main and of the person supplying the water :

Provided, also, that where, from the nature of the soil or for any other reason, the licensee can show, to the satisfaction of an Electric Inspector appointed under the Act, that such earth connections as are required by this sub-rule cannot be constructed and maintained without unreasonable expense, the provisions of this rule shall not apply.

(2) The earth connections required by sub-rule (1) shall be constructed, laid, and maintained so as to secure electrical contact with the general mass of earth, and so that the resistance from one earth connection to the other through the earth shall not exceed two ohms; and a test shall be made by the licensee at least once in every month to ascertain whether this requirement is complied with.

(3) No portion of either earth connection shall be placed within six feet of any pipe, other than a main for water-supply of not less than three inches internal diameter which is metallically connected with the earth connection with the consent of the owner of the main and of the person supplying the water.

(4) Where the generator is at a considerable distance from the tramway, the uninsulated return shall be connected with the negative terminal of the generator by means of an insulated return, and the generator shall have no other connection with the earth; and in such case the end of the insulated return connected with the uninsulated return shall be connected also through a current-indicator with two separate earth connections or, with the necessary consents, with a main for water-supply, or, with the like consents, with both in the manner prescribed in this rule.

(5) If the current-indicator cannot conveniently be placed at the connection of the uninsulated return with the insulated return, this instrument may consist of an indicator at the generating station connected by insulated wires with the terminals of a resistance interposed between the return and the earth connection or connections. The said resistance shall be such that the maximum current laid down in rule 54, sub-rule (1), clause (i), shall produce a difference of potential not exceeding one volt between the terminals. The indicator shall be so constructed as to indicate correctly the current passing through the resistance when connected with the terminal by the insulated wire above-mentioned.

54. (1) Where the return is partly or entirely uninsulated, the licensee shall, in the construction and maintenance of a tramway,— Earth return current.

- (a) so separate uninsulated return from the general mass of earth and from any pipe, metallic structure or substance in the vicinity,
- (b) so connect together the several lengths of the rail,

- (c) adopt such means for reducing the difference produced by the current between the potential of the uninsulated return at any one point and the potential of the uninsulated return at any other point, and
- (d) so maintain the efficiency of the earth connections specified in the preceding rules,

as to fulfil the following conditions, namely :—

- (i) the current passing from the earth connections through the indicator to the generator, or through the resistance to the insulated return, shall not at any time exceed either two amperes per mile of single tramway line or 5 per cent. of the total current output of the station ; and
- (ii) the difference of potential between the uninsulated return and any pipe, metallic structure, or substance in the vicinity shall not exceed five volts, when the return is relatively positive, or two volts, when the return is relatively negative.

(2) In order to provide a continuous indication that the condition specified in sub-rule (1), clause (i), is complied with, the licensee shall provide a suitable recording amperemeter, and shall keep it connected during the whole time that the line is charged.

(3) The owner of any pipe, metallic structure or substance in the vicinity of an uninsulated return may, in respect of the same, require the licensee at reasonable times and intervals to ascertain by test in his presence, or in that of his representative, whether the condition specified in sub-rule (1) clause (ii) is complied with ; and, if such conditions aforesaid is found to be complied with, all reasonable expenses of and incidental to the carrying out of the test shall be borne by the owner, but if otherwise, by the licensee.

55. (1) Where the return is partly or entirely uninsulated, a continuous record shall be kept by the licensee of the difference of potential during the working of the tramway between the points of the uninsulated return furthest from and nearest to the generating station.

(2) If at any time the difference of potential is found to exceed five volts, the licensee shall thereafter make a daily report to the Local Government, or to such officer as the Local Government may appoint in this behalf, of the result of the previous day's test, and, if at any time it exceeds the limit of seven volts, the licensee shall take immediate steps to reduce it below that limit :

Provided that the Local Government may, in its discretion, relax the provisions of this rule in localities where it may consider it unnecessary strictly to enforce them

56. Except with the written approval of the Local Government, the line <sup>Isolation of sections.</sup> wire shall be divided up into sections not exceeding one mile in length, between every two of which there shall be inserted an emergency switch, so enclosed as to be inaccessible to the public.

57. (1) The insulation of the line and of the return when insulated and of <sup>Leakage on other than conduit system.</sup> all feeders and other conductors, shall be so maintained that the leakage current shall not exceed one-hundredth of an ampere per mile of tramway.

(2) The leakage current shall be ascertained daily by the licensee before or after the hours of running when the line is fully charged.

(3) If at any time it is found that the leakage current exceeds one-half of an ampere per mile of tramway, the leak shall be localised and removed as soon as practicable, and the running of the cars shall be stopped unless the leak is localised and removed within twenty-four hours :

Provided that this rule shall not apply where both line and return are placed within a conduit.

58. In the construction and working of the cars care shall be taken to <sup>Variations in the current.</sup> provide for as gradual variation of the current as is practicable.

59. (1) The licensee shall, so far as may be applicable to his system of Records, working, keep the following records, namely:—

#### *Daily records.*

Number of cars running.

Maximum working current.

Maximum working pressure.

Maximum current from the earth connections, as prescribed by rule 54, sub-rule (1), clause (i).

Leakage current, as prescribed by rule 57, sub-rule (1), and rule 67, clause (d).

#### *Monthly records.*

Condition of earth connections as prescribed by rule 53, sub-rule (2).

#### *Occasional records.*

Any tests made under the provisions of rule 54, sub-rule (3).

Daily fall of potential in return when required by rule 55.

Localization and removal of leakage, together with time occupied.

Particulars of any abnormal occurrence affecting the electric working of the tramway.

(2) These records shall, if and when required, be forwarded for the information of an Electric Inspector appointed under the Act.

60. Passengers shall not have access to any portion of the electric circuit having a greater difference of potential to earth than 100 volts.

61. Every electric main, lead, or connection used in or upon a car shall be of ample size and thoroughly insulated and protected by cut-outs which will operate to break the circuit before the current has risen to an amount likely to cause any injurious heating of the conductors, and the length of every safety fuse in the clear shall be not less than two inches, unless an automatic device is provided for interrupting the arc.

62. Every electrical conductor fixed upon a car shall be protected wherever it is adjacent to any metal, so as to avoid risk of the metal becoming charged.

63. Every collector standard which is accessible to passengers in a car shall be electrically connected with the wheels of the car in such manner as to prevent the possibility of the standard becoming electrically charged from any defect in the electrical conductors contained within it.

64. Unless the Local Government otherwise directs—

(a) the trolley wire shall nowhere be at a less height from the surface of the street than 17 feet, except where it passes under a bridge or other fixed structure, in which case it shall be suspended to the satisfaction of an Electric Inspector appointed under the Act ; and

(b) the intervals between the supports shall not exceed 120 feet.

65. Where the feeders of a tramway are on the same support, as the trolley wire, the provisions of rule 24 shall not apply.

66. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

67. Where a conduit system of electric traction is employed, the following conditions shall be complied with in the construction and maintenance of such conduit, namely :—

(a) The conduit shall be so constructed :—

(i) as to admit of easy examination of, and access to, the conductors contained therein and their insulators and supports ;

(ii) as to be readily cleared of accumulation of dust or other debris, no such accumulation being permitted by the licensee to remain.

(b) The conduit shall be laid to such falls and so connected to pumps or other means of drainage as to clear itself automatically of

water without danger of the water reaching the level of the conductors.

(c) Where the conduit is formed of metal, all separate lengths shall be so jointed as to secure efficient metallic continuity for the passage of electric currents; and where the rails are used to form any part of the return, they shall be electrically connected to the conduit by means of copper strips having a sectional area of at least one-sixteenth of a square inch or other means of equal conductivity, at distances not exceeding 100 feet; and where the return is wholly insulated and contained within the conduit, the conduit shall be connected with earth at the generating station through an instrument suitable for the indication of any contact or partial contact of either the line or the return with the conduit.

(d) The leakage-current shall be ascertained by the licensee daily, before or after the hours of running, when the line is fully charged; and if at any time it is found to exceed one ampere per mile of tramway, the leak shall be localised and removed as soon as practicable, and the running of the cars shall be stopped, unless the leak is localised and removed within twenty-four hours.

#### AS TO THE SECURING OF A REGULAR AND SUFFICIENT SUPPLY OF ENERGY BY LICENSEES AND THE TESTING THEREOF.

68 Forty-eight hours at least before a licensee is ready to commence to supply energy through a main, he shall serve a notice upon the local authority and upon the Electric Inspector appointed under the Act of his intention to commence such supply. Notice of intention to supply through mains.

69. From the time when a licensee commences to supply energy through a main, he shall, subject to the provisions of his license in this behalf, maintain a supply of sufficient power for the use of all the consumers for the time being entitled to be supplied from such main; and such supply shall, except in so far as may from time to time be otherwise agreed upon between the local authority and the licensee, be constantly maintained: Licensee to provide constant supply.

Provided that, for the purpose of testing or for any other purpose connected with the efficient working of the undertaking, the Local Government, or such person as it may appoint in this behalf, may give permission to the licensee to discontinue the supply at such intervals of time and for such periods as it may think expedient:

Provided, also, that, when the supply is to be so discontinued, notice of such discontinuance and of the probable duration thereof shall be previously served upon the local authority and upon every consumer likely to be affected thereby.

70. The system of distributing mains shall be so arranged that, if in any case it becomes necessary to discontinue the supply through any portion of a main for more than one hour for the purposes of repairs or for any other reason, the discontinuance shall in no case extend to more than one hundred service lines.

71. Before commencing to supply energy to a consumer, the licensee shall declare to the consumer the constant pressure at which he proposes to supply energy at the consumer's terminals, and the pressure so declared at any pair of the consumer's terminals shall not at any time be altered or departed from, except with the written consent of the Local Government or of the consumer :

Provided that the licensee shall be deemed to have complied with the requirements of this rule so long as the variation of pressure at the consumer's terminals does not, under any conditions of the supply which the consumer is entitled to receive, exceed 4 per cent from the declared constant pressure, unless changes in pressure recur so frequently as to cause unsteadiness in the supply.

#### AS TO THE USE OF CERTAIN FORMS.

72. Requisitions made under clause VIII, sub-clause (4), or clause IX, sub-clause (4), as the case may be, of the schedule to the Act shall be in the appropriate form set forth in the annexures to these Rules.

#### AS TO THE LEVY OF FEES.

73. The following fees shall be payable to the Local Government in respect of the services of Electric Inspectors appointed under the Act, namely :—

- (a) where any difference or dispute arising under section 30, sub-section (7) of the Act is determined by an Electric Inspector, a fee of Rs 16 (in addition to the costs as laid down in the Act) ; and,
- (b) where any meter is certified, or any test is carried out other than those laid down herein, a fee of such amount, and payable by such person, as the Local Government may determine.

## GENERAL.

74. Any licensee who commits a breach of these rules shall be punishable for every such breach with fine which may extend to R100, and, in the case of a continuing breach, with a further fine which may extend to R50 for every day after the first during which he is convicted of having persisted in the breach. Penalty for breach of foregoing rules.

75. Where a consumer, in any factory or other such place as is described in section 31 of the Act, uses at a pressure exceeding 130 volts energy supplied to him by a licensee, he shall be bound by the following rules in the same manner as if the energy were not supplied by a licensee. Rules applicable where consumer uses in factory, etc., energy supplied by a licensee.

# RULES AS TO THE USE OF ENERGY NOT SUPPLIED UNDER PART II OF THE ACT.

## PRELIMINARY.

76. In the following rules, unless there is anything repugnant in the subject or context,— Further definitions.

(a) the expressions "low-pressure," "high-pressure," and "extra high-pressure" are used in relation to electric supply-lines, conductors, circuits, and apparatus according to the conditions of the supply delivered through the same or particular portions thereof; that is to say,—

(i) where the conditions of the supply are such that the pressure may at any time exceed 600 volts, if continuous, or 300 volts, if alternating, but cannot exceed 3,000 volts, whether continuous or alternating, the supply shall be deemed to be a "high-pressure supply;"

(ii) where the conditions of the supply are such that the pressure may, on either system, exceed 3,000 volts, the supply shall be deemed to be an "extra high-pressure supply" and

(b) the expression "the owner" means any person, other than a licensee, generating or using energy at a pressure exceeding 130 volts.

## AS TO THE PROTECTION OF PERSONS AND PROPERTY.

### *Inspection and testing.*

77. (1) When notice has been given by any person under section 31 of the Act, the District Magistrate or, in a Presidency-town, the Commissioner Entry and inspection.



of Police, shall forthwith report the circumstance to the Local Government and thereupon any Electric Inspector appointed under the Act may enter, inspect, and examine any place in which he has reason to believe that there is any appliance or apparatus used in the generation or use of electricity.

(2) The owner shall afford at all times all reasonable facilities to any such Inspector to make such inspections and tests as may be necessary to ensure the due observance of the Act and the following rules, and shall, if and when required, forward to such Inspector all records of tests hereinafter specified to be made and recorded.

78. The pressure of the supply generated by an owner shall not exceed the limits of low-pressure, except with the written approval of the Local Government in each case.

79. The owner shall take reasonable precautions to guard against the liability of any person to shock due to accidental contact with exposed terminals.

80. Where the insulating material on any electric supply-line is protected by an external metallic covering, the metallic covering shall be efficiently connected with earth.

81. In every case in which a high-pressure supply is transformed for the purposes of use, some suitable automatic and quick-acting means shall be provided to protect the low-pressure wires from any accidental contact with, or leakage from, the high-pressure system, either within or without the transforming apparatus.

82. (1) Where any portion of an electric supply-line or any support for an electric supply-line is exposed in such a position as to be liable to injury from lightning, the owner shall adopt efficient means for protecting it against such injury.

(2) Lightning arresters shall be capable of supporting successive discharges without attention.

### *Aerial lines.*

83. The sectional area of the conductor of an aerial line erected by an owner after the commencement of these rules shall, if of copper, be not less than the area of a No. 10 wire of the British Standard Wire Gauge, or, if of any other material, of such sectional area as to be of equivalent tensile strength:

Provided that, where the span is less than 50 feet, a No. 11 wire of the British Standard Wire Gauge may be used.

84. Every continuously insulated aerial line belonging to an owner shall be attached to supports at intervals not exceeding 100 feet.

85. (1) Every support of an aerial line shall be of a durable material firmly erected and, if necessary, properly stayed against forces due to wind pressure, change of direction of the line or unequal lengths of span. Construction and erection of supports.

(2) Every post, if of metal, shall be efficiently connected with earth.

86. (1) No part of an aerial line shall be at a less height from the ground than 15 feet: Height from ground and inaccessibility.

Provided that the Local Government may, by order in writing, permit any modification of this sub-rule which it may consider necessary.

(2) Every aerial line shall be so erected as to be inaccessible except by the use of a ladder or other special appliance.

87. Where a metallic roof is crossed by an aerial line, the roof shall be efficiently connected with earth. Crossing metal roof.

### *Electric supply-lines other than aerial lines.*

88. Where an electric supply-line crosses, or is in proximity to, any metallic substance, precautions shall be taken by the owner against the possibility of the metallic substance becoming charged. Crossing pipes, etc.

89. Every portion of a high-pressure electric supply-line (not being an aerial line) placed above the surface of the ground shall be completely enclosed, either in a tube of highly insulating material embedded in brick-work, masonry, or concrete, or in a strong metal casing efficiently connected with earth. High-pressure electric supply-lines laid above ground

90. Where a high-pressure electric supply-line is laid beneath the surface of the ground, efficient means shall be taken by the owner to render it impossible that the surface of the ground or any neighbouring electric supply-line or conductor shall become charged by leakage therefrom. High-pressure electric supply lines laid under ground

### *Circuits within buildings.*

91. The owner shall maintain all electric conductors, fittings and apparatus belonging to him or under his control, which may be in use upon his premises, in a safe condition and in all respects fit for the use of energy and shall take all due precautions against fire. Responsibility of owners for the conductors, etc.

92. A suitable cut out shall be inserted in each main or branch circuit upon the owner's premises (not being the neutral wire of a multiple wire system) at the point of origin of the same. Fuses or cut-outs to be provided in all circuits

93. The covers and frames and other metallic parts (other than parts of the electrical circuit) of all high-pressure apparatus of every description shall be either efficiently connected with earth or, if insulated, so placed and

arranged that it is impossible for any person to obtain a shock to earth from them.

switch.

94. An isolation switch shall be provided for every arc lamp connected with any high-pressure electric supply-line, and the switch shall be of such pattern and construction as will provide—

- (a) that the lamp can by its means be entirely disconnected from the supply circuit ;
- (b) that the switch itself can be safely worked in the dark without special precautions ;
- (c) that there shall be no danger of any injurious electrical arcing, sparking, or heating being caused by the operation of the switch ; and
- (d) that, where the switch is accessible without the use of a ladder or special appliance, it shall be in a locked metallic receptacle efficiently connected with earth.

ance.

95. Every installation to which rules 77 to 94 apply, shall be duly and efficiently supervised and maintained by the owner so as to comply with the said rules.

#### AS TO THE LEVY OF FEES.

fees.

96. The following further fees shall be payable to the Local Government in respect of the services of Electric Inspectors appointed under this Act, namely :—

- (a) where any works belonging to an owner are tested or inspected, a fee, payable by such owner, of one rupee for every kilowatt of his electrical plant capacity, or, where the power is supplied by a licensee, of the consumer's specified maximum power subject to a minimum of ₹16 and a maximum of ₹200 ; and
- (b) where any meter is certified, or any test is carried out or work done other than that laid down in clause (a), a fee of such amount, and payable by such person, as the Local Government may determine :

Provided that the Local Government may, if it thinks fit, remit any such fee or any portion thereof.

97. Any owner who commits any breach of rules 77 to 95 shall be punishable, for every such breach, with fine which may extend to ₹100, and, in the case of a continuing breach, with a further daily fine which may

extend to Rs50 for every day after the first during which he is convicted of having persisted in the breach.

FORM OF REQUISITION REQUIRED BY CLAUSE VIII (4) OF THE SCHEDULE TO  
THE ACT.

(See rule 72.)

To

\_\_\_\_\_ (name of licensee).

We the undersigned, being owners or occupiers of premises situated in \_\_\_\_\_ street, situated within the "area of supply" defined in the \_\_\_\_\_ license 19 , do

In the case of six or more owners or occupiers.

The Government of \_\_\_\_\_ (The local authority of \_\_\_\_\_) being charged with the public lighting of \_\_\_\_\_ street, situated within the area of supply defined in the \_\_\_\_\_ license 19

In the case of the Local Government or a local authority.

hereby require (s) you to provide and lay down, within six months of the date of this requisition, distributing mains for the purpose of general supply throughout the said street \* in accordance with the terms and conditions laid down in clause VIII of the schedule to the Indian Electricity Act, 1903, as applied to the Civil and Military Station of Bangalore.

Dated at \_\_\_\_\_

The \_\_\_\_\_ day of \_\_\_\_\_ 19 .

FORM OF REQUISITION REQUIRED BY CLAUSE IX (4) OF THE SCHEDULE TO  
THE ACT.

(See rule 72.)

To

\_\_\_\_\_ (name of licensee).

You are hereby requested to provide within \_\_\_\_\_ weeks of the date of this requisition, supply of electrical energy at the premises \_\_\_\_\_ being within one hundred yards of your

\* Or such part of the street as may be specified.

distributing mains and within the "area of supply" laid down in the \_\_\_\_\_ license 19\_\_\_\_, for the following:

\_\_\_\_\_ 80 watt lamps (8 C. P.)

\_\_\_\_\_ 60 watt lamps (16 C. P.)

\_\_\_\_\_ watt lamps.

\_\_\_\_\_ fans.

\_\_\_\_\_ B. H. P. motors.

The wiring work will be carried out by \_\_\_\_\_

Dated at \_\_\_\_\_

The \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_. \_\_\_\_\_ Signature.

NOTE.—Under clause IX (1) 1st proviso of the schedule to the Indian Electricity Act, 1903, "the cost of so much of any electric supply-line as may be laid for the purposes of the supply upon the property in respect of which the requisition is made, and of so much of any electric supply-line as it may be necessary for the said purposes to lay for a greater distance than one hundred feet from the licensee's distributing main although not on that property shall, if the licensee so requires, be paid by the owner or occupier making the requisition."

In accordance with the foregoing note, the licensee makes the following charges:

The ordinary rate for making connections to consumer's premises is Rs \_\_\_\_\_, to which will be added any wiring necessary from the point of service at the rate of \_\_\_\_\_ rupees per yard, and for (underground services) a rate of \_\_\_\_\_ annas per inch for cutting away and making good the wall of the house.

The licensee lays all services in the street free of charge to a distance of \_\_\_\_\_ feet from their mains.

[ *Gazette of India*, 1905, Pt. II, p. 837.]

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No. 2739, dated the 19th July 1895.—Whereas certain rules for the reception and detention of lunatics in asylums were made under the authority of a notification of the Chief Commissioner of Mysore, No. 141, dated the 31st July 1874, and the same were afterwards amended and were confirmed

as amended by a letter of the Government of India, No. 3831-I., dated the 27th October 1880, and such rules, as so amended and confirmed, are now in force in the Civil and Military Station of Bangalore.

And whereas by the first of such rules the Resident in Mysore is empowered, with the sanction of the Government of India (amongst other things), to appoint a place or places which shall be used as an asylum for the reception and detention of lunatics.

And whereas the lunatic asylum in the City of Bangalore in the territories of His Highness the Maharaja of Mysore is a convenient place to be used as such an asylum, and the Government of Mysore have consented to its use as such and have further consented that all the said rules as so amended and confirmed as aforesaid shall be in force and observed in the management of the said asylum.

The Resident in Mysore, with the previous sanction of the Government of India and the consent of the Government of Mysore, is pleased to appoint the said lunatic asylum to be a place for the reception and detention of lunatics under the rules aforesaid.

Under the provisions of clause 2 of the rules aforesaid, and with the consent of the Government of Mysore, the Resident in Mysore is further pleased to appoint the undermentioned gentlemen as visitors for the said asylum so far ~~as the Civil and Military Station of Bangalore are~~

### No. 38.

Page 708.—Make the following amendments in the rules published in notification No. 5, dated the 7th February 1914 [see Addendum No. 19]:—

#### Amendments.

1. In rules VIII and X (b), for the words "Part III of the Gazette of India" substitute the words "the local official Gazette."

... of England and Wales, the Society of Incorporated Accountants and Auditors, the Society of Accountants in Edinburgh, the Institute of Accountants and Actuaries in Glasgow, the Society of Accountants in Aberdeen, the Institute of Chartered Accountants in Ireland, and members of such other bodies as may, from time to time, be notified by the Governor General in Council under the proviso to section 144 (1) of the Indian Companies Act, 1913 (VII of 1913), as entitled to audit companies' accounts.

- (b) The holder of any certificate granted by the Resident in Mysore under section 144 (2) of Act VII of 1913, as amended by the Civil and Military Station of Bangalore, or of any other Local Government in India in exercise of the same statutory power."

(Notification No. 43, dated the 15th June 1911.)

*No. 4146, dated the 31st August 1903.*

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1. (a) The expression "wild birds" for the purposes of these rules means :—Jungle-fowl, spur-fowl, pea-fowl, partridge, grouse, quail, wood-cock, bustard, florican, duck and teal; and  
(b) the expression "animals of game" means hares.
2. The "breeding season" for the wild birds and animals of game for the purposes of these rules is from the 1st March to 1st September both days inclusive.

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[*Gazette of India, 1903, Pt. II, p. 1311.*]

No. 54.

Ordinances  
1914.

Page 709.—After notification No. 34, dated the 25th April 1914 (see Addendum No. 24), insert the following :—

on of  
civil and  
authorities.

*No. 1667-I. B, dated the 28th August 1914.*

No. 39.

Page 709.—Make the following amendments in the rules published in notification No. 34, dated the 25th April 1914 (see Addendum No. 21) :—

(1) Omit the words and figures "in notification No. 34, dated the 25th April 1914" in the form of certificate appended to the rules.

(2) Add the following as note 2 to the said form of certificate :—

"(2) In view of the provisions of rule IX A (b) of the rules published by the Resident under section 24 of the Provident Insurance Societies Act, V of 1912, the holder is also entitled to audit the accounts of Provident Insurance Societies within the limits of the Civil and Military Station of Bangalore."

(Notification No. 45, dated the 25th June 1914.)

[*Mysore Residency Orders, 1914, Pt. II, p. 16.*]





## Orders under Local Laws.

*No. 4307, dated the 15th October 1897.*—In exercise of the powers conferred by rule 3 of the rules promulgated with the notification of the Government of India in the Foreign Department,<sup>1</sup> No. 1756-I. A., dated the 29th May 1896, and with the previous sanction of the Governor-General in Council, the Resident in Mysore is pleased to prescribe as follows with regard to the security to be given by Public Accountants in the Civil and Military Station of Bangalore :—

1. The persons from time to time appointed to the posts enumerated in the schedule hereto annexed shall give to the head of the office to which they belong security to the amount noted against their names in cash, or in Savings Bank deposits, or in Government promissory notes, or in Government stock certificates, or, with the special sanction of the Resident, in any other form : Provided that—

- (a) in the case of persons employed by the Municipal Commissioners of Bangalore, otherwise than as cashiers or store-keepers or in the Public Works Department, if the total security prescribed exceeds the aggregate amount of the salary of the appointment for one year, the Municipal Commissioners may accept security in such form as they may see fit for the amount of such excess :
- (b) in the case of persons whose salaries do not exceed Rs20 a month the head of the office to which they belong may accept security in such form as he may see fit ;
- (c) where the security is personal, the amount thereof shall be twice that prescribed in the schedule.

*Schedule.\**

(Not reprinted.)

[*Gazette of India*, 1897, Pt. II, p. 1216.]

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<sup>1</sup> Printed Vol. I, p. 417.

<sup>2</sup> Amended by notifications No. 5536, dated the 29th October 1900, *Gazette of India*, 1900, Pt. II, p. 1243, and No. 6013, dated the 24th November 1905, *Gazette of India*, 1905, Pt. II, p. 1405.

*No. 1527-I.A., dated the 26th April 1907.*—Under section 4 of the Bangalore Municipal Law, 1897<sup>1</sup>, promulgated under Foreign Department notification No. 2175-I.A., dated the 9th June 1897, the Governor-General in Council is pleased to declare that the area and limits of the Civil and Military Station of Bangalore shall be as under:

(Not reprinted.)

[*Gazette of India*, 1907, Pt. I, p. 306.]

*No. 3955-I.A., dated the 29th December 1899.*—Under section 5 of the Bangalore Municipal Law, 1897<sup>2</sup>, the Governor-General in Council notified that the following buildings and lands within the limits of the Civil and Military Station of Bangalore are in the exclusive possession of the Military authorities for military purposes:—

Royal Horse Artillery Barracks.	Native Hospital.
Royal Artillery Barracks.	Garrison School.
Camp Equipage Store.	Commissariat Buildings and Slaughter House in Nilsandra Road.
Barrack Sergeant's Quarters	Ulsoor Water-Works.
Barrack Master's Quarters.	Ulsoor Dhole Wells.
British Cavalry Barracks.	Agram Range.
Station Hospital.	Sapper Practice Ground.
Military Prison.	South Madras Cavalry Lines.
Transport Lines.	1st Madras Pioneers' Lines.
Commissariat Sergeant's House.	General Parade Ground.
Agram Fortified Post.	Artillery Practice Ground.
British Infantry Barracks.	Sappers' Parade Ground.
No. 1 Section Hospital ** * Sappers' Barracks.	Sappers' Bridging Ground and Old Military Wells in land to the south.
6th Madras Infantry Lines.	High Ground between the Residency and Ali Askar Road.
Military Works Department buildings.	Victoria Park.
17th Madras Infantry Lines.	B. R. Volunteers Head Quarter Office and Armoury.
Cantonment Main Guard.	
Garrison Hospital.	
Cantonment Hospital.	

[*Gazette of India*, 1899, Pt. I, p. 1103.]

<sup>1</sup> Printed Vol. I, p. 448

<sup>2</sup> Omitted by notification No. 1402-I.B., dated the 19th July 1909. *Gazette of India*, 1909, Pt. I, p. 693.

*No. 596-I.A., dated the 7th February 1908.*—In exercise of the power conferred by section 6 of the Bangalore Municipal Law, 1897<sup>1</sup>, the Governor General in Council is pleased to direct that the lands specified in the schedule to the notification of the Government of India in the Foreign Department<sup>2</sup>, No. 595-I.A., dated the 7th February 1908, shall be exempt from the operation of all provisions of the said Law except sections 1 to 4 and 6, and of the rules and bye-laws issued thereunder.

[*Gazette of India*, 1908, Pt. I, p. 103.]

*No. 1628-I B., dated the 30th July 1912.*—In exercise of the power conferred; by section 7 of the Bangalore Municipal Law, 1897<sup>1</sup> [and of all other powers enabling him in this behalf] the Governor-General in Council is pleased to apply the provisions of sections 179 and 214 of the <sup>4</sup> Cantonment Code, 1912, to the Civil and Military Station of Bangalore<sup>3</sup>:

Provided that references in the said sections to "the cantonment authority" shall be read as referring to the District Magistrate of the Civil and Military Station of Bangalore, and references to "the cantonment" to the said Civil and Military Station.

[*Gazette of India*, 1912, Pt. I, p. 802.]

*No. 675, dated the 11th February 1904.*—In exercise of the powers conferred by sections 8 (2), 8 (3), 9 (2), 175 (1), clauses (b) to (h) and 175 (2) of the Bangalore Municipal Law, 1897<sup>1</sup>, and in supersession of the existing rules, the Resident in Mysore is pleased to make the following rules:—

1. Under sections 8 (1) and 19 (2) the Municipal Commission is to consist of a President, a Medical Officer, and twenty-four other Commissioners. Of these twenty-four Commissioners, six will be appointed by the Resident, either by name or by office,<sup>5</sup> one shall be elected by the Bangalore Trades Association in accordance with rule 21, and seventeen shall be elected as hereinafter provided.

Every elected Commissioner shall hold office for a term of two years, and every Commissioner appointed by the Resident by name, shall hold office for a term of three years.

<sup>1</sup> Printed Vol. I, p. 448.

<sup>2</sup> Printed Vol. I, p. 532.

<sup>3</sup> These sections of the Cantonment Code are excluded from the operation

[*Gazette of India*, 1912, Pt. I, p.

157.

<sup>5</sup> The Station Staff Officer and the Senior Medical Officer, Bangalore, have been so appointed by notifications No. 42, dated the 25th July 1907, and No. 48, dated the 3rd May 1910. *Gazette of India*, 1907, Pt. II, p. 1183, and 1910, Pt. II, p. 719.

Provided that any member elected or appointed to fill a casual vacancy shall hold his seat for the time for, and subject to the conditions upon, which it was tenable by the person in whose place he has been so elected or appointed, and no longer.

2. For the purposes of these rules, the Civil and Military Station of Bangalore shall be divided into the following wards or divisions, namely:—

No.	Ward or Division.
1.	Alsur.
2.	Southern Division.
3.	East General Bazaar.
4.	West General Bazaar.
5.	Cleveland Town.
6.	High Ground.

3. All the inhabitants of the Station shall, for the purposes of these rules, be divided into the following three classes:—

1. Europeans and Eurasians;
2. Mahomedans;
3. Hindus and others;

and each such class shall elect separately its own representatives.

4. The number of Commissioners to be elected by each class and for each division shall be as follows:—

Division.	CLASSES			Total No. of Commissioners.
	Europeans and Eurasians	Mahomedans	Hindus and others	
1. Alsur . . . . .	1	...	1	2
2. Southern Division . . . . .	1	1	1	3
3. East General Bazar . . . . .	1	1	2	4
4. West General Bazar . . . . .	1	1	2	4
5. Cleveland Town . . . . .	1	...	1	2
6. High Ground . . . . .	1	...	1	2
<b>TOTAL</b> . . . . .	<b>6</b>	<b>3</b>	<b>8</b>	<b>17</b>

5. In order to be qualified for election as a Commissioner, a person must—

- (a) be of the male sex;
- (b) have completed his twenty-fifth year;
- (c) have a sufficient knowledge of the English language to be able to speak to a motion or to follow debates in that language;
- (d) be, at the time of the preparation of the lists required by rule 14, a resident within municipal limits; and

- (e) be, at the said time, the occupier, as owner, mortgagee or tenant, of a house within such limits, which is valued for assessment purposes at not less than rupees thirty per mensem; or have paid, on his own behalf, for the year immediately preceding the said time, municipal taxes of one or more kinds noted in the margin, or Government land revenue, to the aggregate amount not less than twenty rupees.
- (a) Tax on carriages, horses or other animals.
  - (b) Tax upon arts, professions, trades or callings.
  - (c) Tax on houses, buildings or lands, according to the annual value thereof, whether for general purposes or for water-supply.

Provided that when an undivided Hindu family has paid double the taxes or land revenue herein mentioned, any one member thereof, having the other qualifications required, shall be eligible to be elected a Commissioner.

Provided also that no person shall be elected a Commissioner unless his name has been previously entered as a person qualified for election in the lists referred to in rule 19.

6. A person shall be disqualified for election as a Commissioner if he—

- (a) is an officer or servant of the Municipal Commission; or
- (b) is an uncertificated bankrupt or an undischarged insolvent; or
- (c) has been convicted of any such offence, or has been subjected by a Criminal Court to any such order as implies, in the opinion of the District Magistrate, a defect of character which unfits him to be a Commissioner; or
- (d) has been declared by notification in any Government Gazette to be disqualified for employment in, or has been dismissed from, the public service; or
- (e) is disqualified under section 11, sub-section 2, of the Municipal Law; or
- (f) is interested, otherwise than as a shareholder in a Joint-Stock Company, in any contract made with, or work done for, the Commission.

A share or interest in a newspaper, in which any advertisement relating to the affairs of the Municipal Commission may be inserted, is not a disqualification within the meaning of this clause.

7. In order to be qualified to vote in the election of Commissioners a person must—

- (a) be of the male sex;
- (b) have completed his twenty-first year;

- (c) be able to read and write his vernacular language; and
- (d) at the time of the preparation of the lists required by rule 14, fulfil one of the following conditions, namely :—he must
- (i) be the *bona fide* owner, in his own right, of a house, building or land, situate within the division for the Commissioner of which he desires to vote and have paid, for the preceding year, the municipal tax noted in the margin or Government land revenue, to the aggregate amount of five rupees; or
- Tax on houses, buildings or land according to the annual value thereof whether for general purposes or for water-supply.
- (ii) be residing within the division for the Commissioner of which he desires to vote and have paid, for the preceding year, municipal taxes of one or more of the kinds noted in the margin to the aggregate amount of not less than five rupees; or
- (a) Tax on carriages, horses or other animals.  
(b) Tax upon arts, professions, trades or callings.
- (iii) have been for the period of twelve months immediately preceding the said time, the occupier, as owner, mortgagee or tenant, of a house situate within the division for the Commissioner of which he desires to vote, and valued for assessment purposes at not less than eight rupees per mensem; or
- (iv) be a graduate of some University in the United Kingdom, or the British Colonies or India, and be resident within the limits of the division for the Commissioner of which he desires to vote; or
- (v) be the Secretary of, or some other person duly authorised in that behalf by, any company which is registered under the Indian Companies Act, 1882, or under any Act of Parliament, which has its registered office or other place of business in the division for the Commissioner of which he desires to vote, and which has for the preceding year paid taxes, under the Municipal Law, to the aggregate amount of not less than twenty-five rupees, or
- (vi) be a person duly authorised in that behalf by a firm which has its place of business in the division for the Commissioner of which he desires to vote and which has, for the preceding year, paid taxes under the Municipal Law to the aggregate amount of not less than twenty-five rupees.

Provided that if any dispute arises as to class in which a company or a firm shall be placed for the purposes of voting, under rule 3, the decision of the President thereon shall be final.

Provided also that no person shall vote unless his name has been previously entered as a person qualified to vote in the lists referred to in rule 19.

8. A general election of Commissioners shall take place every second year on any day or days in the month of November that may be fixed by the Resident.

Every candidate for election shall cause to be delivered to the President, on or before the 24th October, a notice in writing showing his name and the division for which he proposes to stand, together with the names of two voters in such division, and in his own class, who respectively propose and second his candidature, and of eight other such voters who approve his nomination.

The President shall publish a list of such candidates in one or more of the local newspapers, and shall also post to each voter the name or names of the candidate or candidates for his division and class.

If the number of candidates for any division in any class exceeds the number of Commissioners thereunto allotted, the election shall be determined by vote in such place and manner as shall from time to time be directed by the Resident.

9. Where an equality of votes is found to exist between any two or more candidates at any election under these rules, and the addition of a vote would entitle one of such candidates to be elected a Commissioner, the President may give such additional vote, and the candidate to whom such additional vote has been given shall thereupon be held to be elected a Commissioner.

10. No person shall be considered as elected unless he has secured the votes of at least one-sixth of the total number of persons entitled to vote for his election.

11. If no candidate presents himself for election in any class of any division, or if no candidate secures the minimum number of votes required, the Resident will appoint a Commissioner to fill the vacant place. The Commissioner so appointed shall, notwithstanding anything contained in rule 1, hold office for a period of two years only.

12. Whoever by any gift or reward, or by any promise or agreement or security for any gift or reward, induces any person to give or forbear to give his vote in any election, shall be deemed to be guilty of corruption; and whoever by threatening another with any injury to his person, reputation or

property or to the person, reputation or property of any one in whom that person is interested, makes that person give or forbear to give his vote in any election, shall be deemed to be guilty of intimidation.

13. Whenever any allegation of corrupt practices or intimidation at an election, is made by a person qualified to vote or to be elected a Commissioner at such election, the same shall be enquired into by the President, who shall submit a report thereof, together with his proceedings in the case, to the Resident. If upon a perusal of such report and proceedings, the Resident finds that the person, against whom the allegation is made, has been guilty of corruption or intimidation, or has connived at or abetted the exercise of corruption or intimidation on his behalf by any other person, he may declare such election to be void.

Any person whose election has been rendered void under this rule, shall be deemed disqualified for election for a period of five years.

14. Lists of persons qualified to be elected and to vote under rules 5, 6 and 7 shall, not later than the <sup>1</sup>[15th day of June] preceding each general election, be prepared by the President, printed and published. There shall be one such list for each of the classes referred to in rule 3, and such list shall show separately the names of persons qualified to vote and to stand for election in each division.

15. The President shall publish such lists by affixing copies thereof in some conspicuous place in or near the Municipal Office and in each division. The President shall give notice of such publication in one or more of the local newspapers, and the said lists shall be open to public inspection, at all reasonable times of the day, for fifteen days after the date of publication of such notice. Copies of such lists shall be supplied to the public at the Municipal Office at cost price.

16. (a) Any person whose name is not in the lists so published, and who claims to have it inserted therein may, within 15 days after such publication, give notice in writing of his claim to the President.

(b) Any person whose name is in the lists may object to any other person, as not being entitled to have his name retained therein. Every person objecting shall, within fifteen days from the date of publication of the lists, give to the President notice in writing of the objection and of the nature thereof.

17. The President assisted by three or more Commissioners shall hear and determine the claims and objections which have been duly made as aforesaid

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<sup>1</sup>Substituted by notification No. 23, dated the 10th March 1908. *Gazette of India*, 1908, Pt. 11, p. 441



in open office, giving three clear days' notice of the holding of the enquiry by written notice served upon each claimant, person objecting, and person objected to. In the event of a difference of opinion, the matter shall be determined by the opinion of the majority, the President having a casting vote.

The President and the said Commissioners shall insert in the lists the name of every person who has duly claimed to have his name inserted therein, and whose claim is proved to their satisfaction, and they shall expunge from the lists the name of every person proved to be not qualified to be retained therein. They may also correct any clerical error or omission in the lists.

The President and the said Commissioners may adjourn the hearing of any matter under this rule from time to time, but they shall dispose of all claims and objections by the fifteenth day of August.

18. In the event of the President and the said Commissioners rejecting any claim or objection under the last preceding rule, the claimant or objector, and in the event of their accepting any objection, the person aggrieved, may, at any time within fifteen days after such rejection or acceptance, appeal to the officer holding the appointment of District Judge, and such officer shall within 30 days after receipt of such appeal and after such enquiry as he deems necessary, make such order for correcting the lists or otherwise as shall seem to him fit, and his order shall be final and binding.

19. The lists thus prepared and amended shall remain in force for a period of two years, and printed copies of such lists shall be obtainable on payment of such reasonable fee as may from time to time be prescribed by the President in this behalf.

20. Notwithstanding anything contained in the foregoing rules, it shall be open to any person qualified under rules 5, 6 and 7, on the occurrence of a vacancy which is to be filled by a special election, to apply to the President, within a reasonable time before the date fixed for such election, to have his name inserted in the lists referred to in rule 19. The President may pass such order thereon as he thinks fit, and his order shall be final.

21. No person shall be elected a Commissioner by the Bangalore Trades Association unless he is at the time of the election a member of the said Association.

The election shall be made by the members for the time being of the said Association on such day as may be fixed by the President and in such manner as shall from time to time be determined at a meeting of the said Association convened in accordance with the rules at the time in force in this behalf.

The Secretary to the said Association shall make a return in duplicate to the First Assistant to the Resident in Mysore setting forth the name in full of the person so elected.

[ *Gazette of India*, 1904, Pt. II, p. 198.]

No. 6780, dated the 31st March 1908.—Under the provisions of section 44, sub-section 8, of the Bangalore Municipal Law, 1897,<sup>1</sup> it is hereby notified that the Municipal Commission of the Civil and Military Station of Bangalore, with the sanction of the Resident in Mysore, direct that with effect from 1st July 1908, the tax on buildings and lands be levied at the rate of 8 per cent. on the annual value thereof in lieu of the taxes imposed by Municipal Office notifications Nos. 4544 and 9928, dated 11th December 1897 and 20th February 1899, respectively.

Provided that this tax shall be recovered at the rate of 6 per cent. only from the agriculturists, the house-scavenging of whose houses has not been undertaken by the Municipality.

[ *Gazette of India*, 1908, Pt. II, p. 566.]

With the sanction<sup>1</sup> of the Government of India a tax on professions and trades was imposed, with effect from the 1st January 1884, in accordance with sections 50 and 57, and at the rates specified in Schedule C of the Bangalore Municipal Regulations of 1883.<sup>2</sup> It continues in force under section 2 (2) read with section 41 (1) (A) (b) of the Bangalore Municipal Law, 1897.<sup>3</sup>

No. 1122, dated the 18th May 1912.—Under the provisions of section 44(8) of the Bangalore Municipal Law, 1897,<sup>3</sup> it is hereby notified that the Municipal Commission for the Civil and Military Station of Bangalore, with the sanction of the Hon'ble the Resident in Mysore, direct the imposition of a tax on all persons carrying on the trade of a "Hawker" in the Civil and Military Station of Bangalore at the undermentioned rates, with effect from the 1st October 1912 :—

1. *Hawkers who are not permanent residents in the Station—(Foreign Hawkers—*

(i) For dealing in precious stones and jewellery, Rs 10 per quarter or portion of a quarter of a year ;

(ii) For dealing in drapery, such as piece-goods, etc., Rs 10 per quarter or portion of a quarter of a year.

<sup>1</sup> Letter of the Government of India, No. 2900-I., dated the 29th September 1883.

<sup>2</sup> Published in notification No. 319-I., dated the 9th February 1883. *Gazette of India*, 1883, Pt. I, p. 60.

<sup>3</sup> Printed Vol. I, p. 449.

(iii) For dealing in hardware and all articles other than precious stones, jewellery and drapery, Rs per quarter or portion of a quarter of a year.

2. *Hawkers who are permanent residents in the Station—(Local) Hawk.*

For dealing in any article or articles, Rs 8 per quarter or portion of a quarter of a year.

[*Gazette of India*, 1912, Pt. II, p. 733.]

No. 7507, dated the 11th December 1912.—Under the provisions of Section 41 (8) of the Bangalore Municipal Law, 1897<sup>1</sup>, it is hereby notified that the Municipal Commission for the Civil and Military Station of Bangalore, with the sanction of the Hon'ble the Resident in Mysore, direct the imposition of a tax, with effect from 1st April 1913, on all persons exercising the profession of a Sowcar, money-lender or pawnbroker in the Civil and Military Station of Bangalore at the undermentioned rates:—

				R
Sowcar, money-lender or pawnbroker in receipt of an estimated or actual income of Rs 1,000 or less per annum				12
Ditto	ditto	over Rs 1,000 up to Rs 3,000 per annum		25
Ditto	ditto	over Rs 3,000 up to Rs 5,000 per annum		50
Ditto	ditto	over Rs 5,000 per annum		100

[*Gazette of India*, 1912, Pt. II, p. 1952.]

No. 4536, dated the 29th September 1899.—Under the provisions of sections 41 (I) (A), (C), (D) and 44 (7) and (8), Bangalore Municipal Law, 1897<sup>1</sup>, it is hereby notified that the Municipal Commission for the Civil and Military Station of Bangalore, with the sanction of the Resident in Mysore, direct that the following taxes and tolls be levied at the rates mentioned, with effect from the 1st day of January, 1900:—

I. A tax on all or any vehicles, animals used for riding, driving, draught or burden, and dogs, when the vehicles, animals used as aforesaid, and dogs are kept in the station, at the following rates:—

	Yearly, <sup>2</sup>
	R s.
Four-wheeled carriage on springs drawn by 2 horses	18 0
Four-wheeled carriage on springs drawn by one horse or a pair of horses under 13 hands or by bulls or bullocks	9 0
Two-wheeled carriage on springs drawn by a horse, mule, bull or bullock	6 0

<sup>1</sup> Printed Vol. I, p. 418

<sup>2</sup> Yearly rates and assessment were substituted for half-yearly by notification No. 2602, dated the 6th February 1911. *Gazette of India*, 1911, Pt. II, p. 329



Octroi.

No. 3874, dated the 2nd September 1899.—Under the provisions of section 44, sub-section (8), of the Bangalore Municipal Law, 1897<sup>2</sup>, it is hereby notified that the Municipal Commission for the Civil and Military Station of Bangalore, with the sanction of the Resident in Mysore, directs that an octroi tax be levied, with effect from 1st January 1900, on the following articles, when imported into the station at the rates entered opposite each :—

(i) A tax on timber in the log at the following rates :—

Teak . . . . .	at Rs per ton of 50 c. ft.
Honay . . . . .	at Rs ditto.
Blackwood . . . . .	at Rs ditto.
Other timber . . . . .	at Rs ditto.

(ii) A tax on sawn timber at the following rates :—

Teak . . . . .	at Rs per ton of 50 c. ft.
Honay . . . . .	at Rs ditto.
Blackwood . . . . .	at Rs ditto.
Other timber . . . . .	at Rs ditto.

(iii) A tax on roofing tiles, Mangalore pattern, at Rs-9-0 per cent. *ad valorem*;

(iv) [A tax on piece-goods and other textile fabrics and manufactured articles of clothing and dress at a uniform rate of Rs-9-0 per cent. *ad valorem*; the term "piece-goods" to include kamhlies, coarse cotton country carpets, fabrics of hemp or jute, cotton and linen piece-goods, woollen piece-goods, silken piece-goods, embroidery, other textile fabrics, manufactured articles of clothing and dress.]<sup>3</sup>

*Exemptions*—Personal baggage of travellers, articles imported through the Post Office and goods *bona fide* the property of Government at the time of import and accompanied by an invoice certified by the departmental head concerned that the property therein belongs to Government, are exempt from payment of these taxes.

[*Gazette of India*, 1899, Pt. II, p. 1065.]

<sup>1</sup> The following octroi duties, *viz.*, on—

	R	a.	p.
Green coconuts per 1,000 . . . . .	5	0	0
Dry coconuts per maund of 24lbs. . . . .	0	8	0
Betel leaves per 100 . . . . .	0	0	2
Tobacco per maund of 24lbs. . . . .	3	0	0

<sup>2</sup> Printed Vol. I, p. 418.  
<sup>3</sup> Substituted by notification No. 5729, dated the 16th March 1907. *Gazette of India*, 1907, Pt. II, p. 751.

April 1899, under section 63B of the Bangalore notification No. 1288-I, dated the 25th March force by section 3 (2) of the Municipal Law,

No. 6556, dated the 19th December 1899.—Under the provisions of sections 41 (1) A (c) and 41 (7) and (8) of the Bangalore Municipal Law, 1897<sup>1</sup>, it is hereby notified that the Municipal Commission for the Civil and Military Station of Bangalore, with the sanction of the Resident in Mysore, directs that an octroi tax, at the rate of 1 per cent. *ad valorem*, be levied on the following articles when imported into the Civil and Military Station, Bangalore, for use or consumption therein, with effect from 21st February 1900, or such later date as may be decided upon in communication with the Bangalore City Municipal authorities :—

- (i) Sugar of all kinds (Jaggery excepted) ;
- (ii) Kulthi gram, bran, oats and chaff.

[*Gazette of India*, 1900, Pt. II, p. 7.]

No. 4573, dated the 30th September 1899.—Under the provisions of sections 43 and 44(8) of the Bangalore Municipal Law, 1897<sup>1</sup>, it is hereby notified that the Municipal Commission of the Civil and Military Station of Bangalore, with the sanction of the Resident in Mysore and the Governor-General in Council, direct the imposition, with effect from the 1st January 1900, of a water-tax and charges on account of water at the following rates subject to remission and exemptions as hereinafter provided :—

Water tax.

- (i) A water tax at the rate of 6 per cent. per annum on the annual rental valuation of all buildings and lands in the Civil and Military Station, as already calculated for the purposes of house tax, remission being granted on account of vacancies as in the case of house-tax;
- (ii) A charge of one rupee on all buildings to which a house connection has been made for every 1,000 gallons of water used in excess of the quantities which are allowed free of charge according to the following scale :—

For houses the monthly rental of which is—

	Rs 8 but does not exceed	Rs 12	.	.	.	60	} gallons diem. per
Exceeds	" 12	ditto	" 20	.	.	90	
Ditto	" 20	ditto	" 50	.	.	120	
Ditto	" 50	ditto	" 75	.	.	180	
Ditto	" 75	ditto	" 120	.	.	240	
Ditto	" 120	.	.	.	.	400	

- (iii) A charge of eight annas for every thousand gallons of water used for purposes of trade.

For the purposes of clauses (ii) and (iii) the amount by which the water drawn exceeds any whole number of thousands of gallons shall be charged for as if it were one thousand gallons.

The following lands and buildings are exempted from the water-tax and charges notified above :—

- (i) Buildings and lands exclusively used for Military purposes ;
- (ii) Buildings ordinarily used as places of public worship ;
- (iii) Public Government and Municipal offices.

[The following lands and buildings are exempted from the water tax, but not from the charges notified above, with effect from the 1st January 1903 :—

- (i) Private buildings and premises which are wholly occupied by persons who are in the employment of the Secretary of State and in active duty in the Civil and Military Station in any of the Military Departments of the Government of India during the period of such occupancy.]<sup>1</sup>

[*Gazette of India*, 1899, Pt. II, p. 1186.]

No. 3475, dated the 21st August 1897.—In exercise of the powers conferred by section 46, clause (2) of the Bangalore Municipal Law, 1897<sup>2</sup>, the Resident in Mysore is pleased to exempt all Military officers or soldiers who are, or may be, from time to time, employed on Military duty in the Civil and Military Station of Bangalore, from payment of any tax to the Municipal Commission on account of their profession as Military officers or soldiers. The foregoing exemption also applies to ladies of the Indian Nursing Association employed on nursing duty in Bangalore.

[*Gazette of India*, 1897, Pt. II, p. 993.]

No. 5202, dated the 3rd December 1897.—In exercise of the powers conferred by section 67, clause (1) of the Bangalore Municipal Law, 1897<sup>2</sup>, the Resident in Mysore is pleased to authorise the Municipal Commission of the Civil and Military Station of Bangalore to require any person selling any article liable to octroi, viz., tobacco, betel-leaves, or green and dry cocoanuts, to obtain from the Commission a license for the purpose, and to pay therefor such fees as shall, from time to time with the approval of the Resident, be fixed in that behalf.

[*Gazette of India*, 1897, Pt. II, p. 1371.]

<sup>1</sup> Substituted by notification No. 3024, dated the 7th October 1902. *Gazette of India*, 1902, Pt. II, p. 1248. —

<sup>2</sup> Printed Vol. I, p. 418.

No. 6041, dated 1st February 1898.—Under the provisions of section 124, Diseases dangerous to the public health. sub-section 2, of the Bangalore Municipal Law, 1897<sup>1</sup>, the following diseases are declared, with the sanction of the Resident in Mysore, to be diseases dangerous to the public health, within the limits of the Civil and Military Station of Bangalore :—

- |                    |                               |
|--------------------|-------------------------------|
| (1) Cholera.       | (5) Scarlet fever.            |
| (2) Diphtheria.    | (6) Small-pox.                |
| (3) Enteric fever. | (7) Leprosy. <sup>2</sup>     |
| (4) Measles.       | (8) Hydrophobia. <sup>3</sup> |

[*Gazette of India*, 1898, Pt. 11, p. 251.]

No. 710, dated the 8th May 1907.—In exercise of the powers conferred by section 137 (1) (a) and (b) of the Bangalore Municipal Law, 1897<sup>1</sup>, the Municipal Commission for the Civil and Military Station of Bangalore have made the following bye-law and the same having been confirmed by the Hon'ble the Resident in Mysore as required by section 139 of the Bangalore Municipal Law it is hereby notified for general information under section 180 (3) of the said Municipal Law.

### CHAPTER III.—SANITATION AND OTHER PURPOSES.

#### Bye-law No. 16—Cart Rules.

##### Bangalore Municipal Law, Section 137 (1) (a) and (b).

Every cart which is kept or offered, or plies, for hire within the limit of the Civil and Military Station of Bangalore shall be annually licensed by the President of the Municipal Commission, and no person shall own or drive such cart unless the same has been licensed under these rules.

NOTE.—In these rules "Cart" means any wheeled vehicle of whatever description drawn by animals and used for the conveyance of goods or other loads other than passengers.

2. Application for a license shall be made in writing to the President, who shall grant or refuse a license as he may think fit, and, at his discretion, class every cart in one of the following classes :—

Class A.—Four-wheeled carts.

„ B.—Two-wheeled carts drawn by a pair of bullocks or other animals.

„ C.—Two-wheeled carts drawn by a single bullock or other animal.

NOTE.—The license granted by the President shall be in the form appended to these rules, and its formal acceptance by the licensee shall be entered in a register provided for this purpose.

<sup>1</sup> Printed Vol. I, p. 448.

<sup>2</sup> Added to the list by notification No. 2922, dated the 11th October 1904 *Gazette of India*, 1904, Pt. II, p. 1215.

<sup>3</sup> Added to the list by notification No. 50, dated the 4th April 1911. *Gazette of India*, 1911, Pt. II, p. 582.



8. On the grant of a license the number of such license and the year for which it is granted shall be painted at the President's Office on some conspicuous part of the cart. Should such numbering become indistinct or obliterated, the licensee shall produce the cart without delay at the President's office and apply to have the figures renewed. On the expiry of the license the licensee shall forthwith remove the figures.

4. A license shall ordinarily continue in force until the 31st day of March after the grant of such license. But the President may, by written order, suspend or revoke the license of any cart if he is satisfied that the licensee or driver of the cart has committed a breach of these rules or otherwise misconducted himself.

5. No licensee or driver of a cart shall, without sufficient reason, the burden of proving which shall lie on such licensee or driver, at any time refuse to let such cart for hire to any person demanding the same.

6. The driver of every cart shall stand in line with his cart and keep proper order when at a cart-stand. He shall not take up position on any cart-stand which already contains the full complement of carts. He shall not loiter or cause obstruction in public roads or thoroughfares or in any place where the public resort.

7. It shall be lawful for the President, or other officer authorized by him in this behalf, to enter the premises on which any cart licensed under these rules is kept, in order to carry out any provision of these rules, and the licensee or owner of such premises or his agents or servants shall afford every facility for such inspection.

8. All property left in any cart licensed under these rules shall be forthwith deposited by the driver or licensee, as the case may be, in the nearest police station to be disposed of according to law. Such property shall be returned to the person who shall prove to the satisfaction of the President that the same belonged to him on payment of all expenses reasonably incurred, and of such reasonable sum to the driver or owner as the President may direct.

9. The following fees shall be paid annually according to class for each cart licensed :—

Class A.	Class B.	Class C.
R9	R4	R2

10. The fare which may be demanded for the hire of a cart shall not exceed that specified below :—

*Fares by Time.*

Class of vehicles.	For one hour or less.	For every additional hour or part of an hour before midnight.	For every additional hour or part of an hour after midnight.	Maximum for 12 hours	Maximum for 24 hours.
	R a.	R a.	R a.	R a.	R a.
Class A . . .	1 0	0 4	0 8	3 0	4 0
" B . . .	0 6	0 3	0 4	2 0	2 8
" C . . .	0 4	0 2	0 3	1 4	1 8

*Fares by Distance.*

Class A.—12 annas for 3 miles, and annas 3 for every additional mile.

" B.—2 annas per mile.

" C.—1 anna and pies 6 per mile.

NOTE.—The above fares to be paid according to time unless at the commencement of hiring the hirer expresses his intention of paying according to distance.

11. In the case of disputes as to the fare to be paid according to distance, any table or book signed by the President shall be taken to be conclusive evidence of all the fares and distances therein stated.

12. Any person breaking any of these rules shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees; and when the breach is a continuing breach with a further fine, which may extend to five rupees for every day after the date of such conviction.

*Form of License.*

No.

Seal of the Commission

Class.

By virtue of the powers vested in me by Rule 2 of the Cart Rules, 190 ,  
 I grant to you this license to keep at your  
 premises and to let out for hire the cart  
 numbered as above from the date hereof till the 31st March 19 on the  
 conditions hereunder written :—

1st.—That it shall be drawn by .

2nd.—That you shall cause the driver of this cart when engaged for hire to have with him this license, together with a list of fares which he is

authorised to demand for the hire of this cart, and he shall produce the same when required by the hirer, any police officer on duty, or such other person as may be authorised by me in this behalf.

3rd.—That this cart shall at all times be kept in proper and serviceable condition, and shall be produced for inspection at such place and time as may be directed by me.

4th.—That this license shall not be transferred to any other person without my written sanction, which can be obtained free of cost on the written application both of yourself and the transferee.

Given under my hand and seal this

day of

President.

[*Gazette of India*, 1907, Pt. II, p. 824.]

No. 1755, dated the 1st April 1901.—Under the provisions of sub-section (1) of section 177 of the Bangalore Municipal Law, 1891<sup>1</sup>, the Hon'ble the Resident in Mysore is pleased to empower the President of the Municipal Commission, Civil and Military Station of Bangalore, to accept composition for all offences against the said Law, its rules and bye-laws.

[*Gazette of India*, 1901, Pt. II, p. 532.]

No. 1756, dated the 1st April 1901.—With reference to notification No. 1755, of this day's date, the Hon'ble the Resident is pleased to make the following Rules to regulate the proceedings of the President, Municipal Commission, Civil and Military Station Bangalore, in accepting composition under section 177 of the Bangalore Municipal Law, 1891<sup>1</sup> :—

- (i) Before accepting a composition the President must satisfy himself by personal enquiry that there is reasonable ground to believe that the alleged offence has been committed. In this enquiry the President shall always hear the statement of the accused person unless he is prevented from doing so by unavoidable circumstances and, as far as may be possible, the President shall conduct the enquiry in the presence of the accused.
- (ii) The President shall not accept a larger sum than ten rupees in composition for any alleged offence :

Provided that in cases where in his opinion a larger sum may be reasonably demanded, the President shall not accept a larger sum than Rs 10 until the composition has been ratified by a

resolution of the Municipal Commission and such resolution has been confirmed by the Hon'ble the Resident in Mysore.

- (iii) For every composition accepted the President shall grant a receipt. For this purpose the President shall maintain a book of Receipt Forms serially numbered with proper counterfoils.
- (iv) The President shall enter the particulars of every composition accepted in a register of the form given below. Column 6 of this register shall be totalled weekly.
- (v) The President shall pay the amount received by him in composition weekly into the Revenue office of the Commission for the credit of the Municipal Fund. For each payment the President shall obtain a receipt and keep it filed with the register for 12 months, after which it may be destroyed.
- (vi) On the 1st of April and the 1st of October in each year the President shall submit his register with the attached receipts to the Hon'ble the Resident in Mysore, and shall comply with all instructions consistent with law and with these rules which the Hon'ble the Resident may issue as to his proceedings in the acceptance of compositions.

*Form of Register of compositions under section 177 of the Bangalore Municipal Law of 1897.*

1	2	3	4	5	6	7	8
Serial No	Name, caste and residence of (suspected offender).	Offence to be compounded with reference to section of Act or Rule.	Summary of statement of (suspected offender) or reason for not recording it.	Summary of result of enquiry.	Sum paid in composition	Remarks	Signature of President and date of order.

[Gazette of India, 1901, Pt. II, p. 532.]

No. 6603, dated the 17th December 1900.—In exercise of the power conferred by rule 1 of the rules for the destruction or other disposal of records, etc., published under notification<sup>1</sup> No. 1441-I. A., of the Government of India in the Foreign Department, dated the 26th March 1900, and with

Rules for the disposal of Records, 1900.  
in Civil Courts.

the previous sanction of the Governor-General in Council, the Hon'ble the Resident in Mysore is pleased to make the following rules to regulate the disposal, by destruction or otherwise, of the records, books, registers and papers in the custody of the Civil Courts in the Civil and Military Station of Bangalore :—

1. The record of a civil suit will, from its commencement, be divided into two files called A and B.

2. The A file will contain—

- (1) the plaint, maps or plans (if any), the judgment, and the decree;
- (2) the written statement, answers to interrogatories, affidavits, oral evidence taken in Court or before a Commissioner, report of a Commissioner, and any other essential papers; and
- (3) documentary evidence.

3. The B file will contain powers-of-attorney, all processes of the Court, miscellaneous applications and other papers the use of which expires with the termination of the suit.

4. To each file a list will be annexed of the papers contained therein.

5. (1) The papers referred to in rule 2 (1), and the lists annexed to the A and B files, shall be permanently preserved.

(2) The papers referred to in rule 2 (2) shall be destroyed after a period of twelve years, and the papers referred to in rule 2 (3) shall be destroyed after a period of three years from the date of final disposal of the case :

Provided that the presiding Judge may, in his discretion, direct the retention, for a longer period or permanently; of papers which he may consider likely to be useful in the future, as containing the results of enquiries or other information, or the opinions of experienced officers in matters connected with the general administration of justice :

Provided, also, that where any document of which the destruction is ordered by these rules is, before it has been destroyed, made evidence in any other suit or proceeding, the rule regulating its destruction will be the rule applicable to evidence filed in such suit or proceeding.

6. The B file shall be destroyed after one year from the date of final decision of the case.

7. The rules hereinbefore contained will, *mutatis mutandis*, apply also to miscellaneous cases and to regular and miscellaneous appeals.

8. Notwithstanding anything hereinbefore contained, security bonds, the terms of which have not expired, and receipts for payments, a claim to which may not be barred by the Law of Limitation, shall not be destroyed until their use has expired and the necessity for their retention in the record has ceased.

9. In order to enable parties who have filed documents in Court to withdraw the same before the periods appointed for their destruction, a notice will be published in the *Gazette of India* in January of each year, a copy of which will also be put up on the Court's Notice-board, stating that all documents filed in the suits (to be therein enumerated) will, unless previously reclaimed, be destroyed at the expiration of the period indicated in the notice; and the following note will also be entered at the foot of every copy of a decree or order granted to any of the parties to the suit or proceeding in which such decree or order was made, or to the Advocates, Pleaders or authorized agents of such parties :—

“The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve, as these will be destroyed after three years from this date.”

10. The Court registers, books, and papers described in the table given in the Appendix will be retained for the periods respectively specified against them, reckoning from their respective dates or from the dates at which they close, and at the expiration of those periods they will be destroyed.

11. The records, books, and papers the destruction of which is authorized by these rules shall be burnt in the presence of the record keeper or some responsible officer of the Court. They shall not be sold as waste paper.

12. The records of every Court will be examined once a year, in order to effect compliance with these rules, and a certificate that this has been done will be made in the Annual Report.

#### APPENDIX.

*Table showing the periods prescribed for the retention of the various Court registers, books and papers.*

(Rule 10.)

No.	Description of Court registers, books and papers.	Number of years for which registers, etc., are to be retained.
1	Register of Civil suits . . . . .	Permanent.
2	Ditto      appeals from decrees . . . . .	Ditto.
3	Ditto      ditto      orders . . . . .	Ditto.
4	Pay and Acquittance Rolls . . . . .	Ditto.
5	Register of daily receipts and disbursements . . . . .	25
6	Ledger book . . . . .	
7	Register of applications for execution of decrees . . . . .	12
8	Register of Miscellaneous applications, other than for the execution of decrees . . . . .	

APPENDIX—*contd.*

No.	Description of Court registers, books and papers.	Number of years for which registers, etc., are to be retained.
9	Register of receipts and repayments of deposits . . . . .	10
10	Cheque books . . . . .	
11	Treasury remittance books . . . . .	
12	Annual and quarterly statements, including special statements . . . . .	5
13	Diary A . . . . .	
14	Register of Court Fees . . . . .	3
15	Register of receipts and charges on account of the service of processes . . . . .	
16	Register of stamp duties and penalties . . . . .	
17	Nazir's register of processes . . . . .	3
18	Nazir's register of warrants of attachment and sale . . . . .	
19	. . . . .	
20	. . . . .	10
21	. . . . .	
22	. . . . .	
23	Stationery accounts . . . . .	20
24	. . . . .	
25	. . . . .	
26	. . . . .	3
27	. . . . .	
28	. . . . .	
29	. . . . .	6
30	. . . . .	

[*Gazette of India*, 1900, Pt II, p. 1462.]

Courts.

No. 43, dated the 25th July 1907.—In exercise of the powers conferred by rule 1 of the rules for the destruction or other disposal of records, etc., published under notification<sup>1</sup> No. 1141-I.A. of the Government of India in the Foreign Department, dated the 26th March 1900, and with the previous sanction of the Governor-General in Council, the Hon'ble the Resident in Mysore is pleased to make the following rules to regulate the disposal, by destruction or otherwise, of the records, books, registers and papers in the custody of the Criminal Courts in the Civil and Military Station of Bangalore:—

1. An index in the form prescribed in A of the appendix will be put up with the record of every case on its first institution in each Court, and each paper, as it is filed with the record, will be entered in such index.

2. Every record shall, after its completion and immediately before it is deposited in the record-room, be divided into parts as shown in the table given in B of the appendix, and, to facilitate this division, each paper will, as soon as it is filed with the record, be numbered and marked off in the index as pertaining to one or another of such parts.

3. The parts of records described in the table given in C of the appendix will be retained for the periods respectively specified against them from the date of their completion, provided that in any case the presiding judge or magistrate may, for reasons to be recorded in writing, direct that any of the papers in any one part be transferred to any other part for which a longer period of retention is prescribed; in which case the fact will be noted in the index, and the papers dealt with as if they had belonged from the commencement to the part to which they were so transferred.

4. The Court registers, books and papers, described in the table given in D of the appendix, will be retained for the periods respectively specified against them, reckoning from their respective dates or from the dates at which they close:

Provided that the district magistrate may, in his discretion, direct the retention, for a longer period or permanently, of papers which he may consider likely to be useful in the future, as containing the results of enquiries or other information, or the opinions of experienced officers in matters connected with the general administration of justice, and provided, also, that no Criminal Court subordinate to the magistrate of the district shall cause any papers to be destroyed under the next succeeding rule without having first obtained from such magistrate of the district permission in writing to do so.

(a) Where any document, of which the destruction is ordered by these rules, is, before it has been destroyed, made evidence in any other proceeding the rule regulating its destruction will be the rule applicable to the evidence filed in such proceeding, where the period prescribed by such last-mentioned rule is in excess of the period prescribed by the rule which originally governed its destruction.

5. All records, books and papers, described in the tables given in C and D of the appendix, must be destroyed, without fail, at the expiration of the periods respectively indicated against them.

6. Records, books and papers to be destroyed under rule 5 are to be burnt in the presence of the record-keeper.

7. To enable parties, who have filed documents in Court, to withdraw the same before the periods appointed for their destruction, a notice will be published in the *Gazette of India* in January of each year, stating that all



documents filed in the magisterial cases (to be therein enumerated) will, unless previously reclaimed, be destroyed at the expiration of the period indicated in the notice; and the following note will also be entered at the foot of every copy of an order granted to any of the parties to the proceeding in which such order was made, or to the pleaders or authorized agents of such parties :—

The parties should apply, as soon as possible, for the return of all exhibits which they may wish to preserve, as the record will be liable to be destroyed after 3 years from this date.

9. The above rules do not apply to non-magisterial records of revenue officers, such as *Gazette* files, etc., but apply only to the judicial records of those officers.

### APPENDIX.

#### A

#### *Form of Index.*

(Rules 1 and 2.)

(Application or Appeal or Criminal Case) No. \_\_\_\_\_ of 19 \_\_\_\_\_ on the  
file of the \_\_\_\_\_ Court of \_\_\_\_\_ in the District of \_\_\_\_\_

Serial No. of the paper.	Description of the paper and its date.	Date when the paper was filed in the case.	Number of the part of the record to which the paper appertains.	Alphabetical or numerical mark of the exhibits filed	REMARKS.

#### B

Table showing the division of the record and the description of the papers falling under each division.

(Rule 2.)

Class of cases. Divisions of the records and description of the papers falling under each division.

#### *Part I.*

Trials (other than summary)	1. Index.
	2. Judgment and sentence, if any (original and appellate).
	3. Petition of appeal, or application for revision, or letter of referring court and judgment and order thereon.
	4. Charges.
	5. Documentary evidence.

## C

Table showing the periods prescribed for the retention of the various parts of the records in the various classes of proceedings.

## (Rule 3.)

Nature of Proceedings.	Number of years for which records are to be retained.	
	Part I.	Part II.
1. In trials and appeals—		
(a) Sessions cases . . . . .	20*	3
(b) Warrant cases . . . . .	20	3
(c) Summons cases . . . . .	5	3
(d) Summary trials—		
(A) Forms kept under section 253 of the Code of Criminal Procedure and judgments recorded under section 254 in cases where either—		
(1) some of the accused or parties proceeded against have not been apprehended, or,		
(2) the accused or any of them have been convicted of an offence, a repetition of which renders the offender liable to whipping or to enhanced punishment	10	...
(B) All other records . . . . .	3	...
2. In Miscellaneous Proceedings—		
(a) Maintenance . . . . .	20	3
(b) Security to keep the peace or for good behaviour . . . . .	10	3
(c) Other Miscellaneous Proceedings . . . . .	3	3

\* In cases in which the sentence passed is one of transportation for life, the judgment must be preserved until a report is received of the convict's death or release.

## D

Table showing the periods prescribed for the retention of the various Court Registers, books and papers.

## (Rule 4.)

No.	Description of Court registers, books and papers.	Number of years for which registers, etc., are to be retained.	
1	Repealed Acts of permanent value . . . . .	Permanent.	
2	Cash-book and ledger . . . . .	10	from the date of last entry.
3	Register (I) of all criminal cases in the Courts of Magistrates . . . . .	12	do.
4	Do. (II) of summary trials . . . . .	12	do.
5	Do. (III) of applications and of miscellaneous business in the Courts of Magistrates . . . . .	12	do.
6	Do. (IV) of attendance of witnesses . . . . .	3	do.
7	Do. (V) of cases tried before the Court of Session . . . . .	12	do.
8	Do. (VI) of appeals heard . . . . .	12	do.
9	Do. (VII) of fines imposed and levied . . . . .	12	do.
10	Do. (VIII) of warrants of imprisonment . . . . .	12	do.
11	Do. (IX) of unclaimed and other property produced and sold . . . . .	5	do.
12	Do. (X) of fines and unclaimed proceeds of sale under Cattle Trespass Act . . . . .	5	do.
13	Do. (XII) of previous convictions . . . . .	20	do.
14	Do. (XIII) of powers granted by Local Government or by the Magistrate of the District to Subordinate Magistrates . . . . .	Permanent.	
15	Challan and cheque books . . . . .	10	
16	Magisterial Registers of correspondence received and despatched . . . . .	5	do.
17	Other Court or Office Books and Registers . . . . .	3	do.
18	Government of India Gazette . . . . .	Permanent.	
19	Other Gazettes . . . . .	3	
20	Yearly and half-yearly statements . . . . .	5	
21	Monthly and quarterly statements including accounts of stamp duties and penalties . . . . .	3	
22	Magisterial Diaries, Police Arrest Returns, Police Occurrence Reports (other than those pertaining to Part I and Police Reports on unnatural and sudden deaths) . . . . .	3	
23	Pay and Acquittance Rolls . . . . .	Permanent.	
24	Cancelled pleadership certificates . . . . .	6	

[ Gazette of India, 1907, Pt. II, p. 1183. ]

Practitioners' D. 2 fees. No. 12, dated the 6th February 1901.—In exercise of the powers conferred by rule 26 of the Legal Practitioners' Rules published under notification No. 2113 I. A. of the Government of India in the Foreign Department, dated the 14th May 1900, and in supersession of the Rules of Practice

(Nos. 20 and 23, dated respectively, the 23rd July and 10th September 1870) framed by the Judicial Commissioner of Mysore, the Hon'ble the Resident in Mysore is pleased to make and issue the following rules for fixing and regulating the fees payable by any party in respect of the fees of his adversary's Advocate or Pleader upon all proceedings in the Court of the Resident and in the Courts subordinate thereto:—

Save by special leave of the Court, and except in the case of an Advocate or Pleader appearing on behalf of Government, no fee shall in any case be entered as recoverable in a decree or order, except on production of a certificate from the Advocate or Pleader that he has received such fee.

2. In suits, or in appeals from original or appellate decrees in suits for money, effects or other personal property, or for land or other immoveable property of any description, fees shall be payable on the following scale:—

(a) When such suits or appeals are decided on the merits after contest, or are compromised subsequent to the settlement of issues and after a partial or complete trial, but before delivery of judgment, or where such appeals are decided *ex-parte*—

- (i) if the amount or value of the claim shall not exceed Rs.5,000, 5 per cent, provided that in no case shall the fee payable be less than five rupees;
- (ii) if the amount or value shall exceed Rs.5,000 and shall not exceed Rs.20,000 on Rs.5,000 as above, and on the remainder, 2 per cent.;
- (iii) if the amount or value shall exceed Rs.20,000 and shall not exceed Rs.50,000, on Rs.20,000 as above, and on the remainder, 1 per cent.;
- (iv) if the amount or value shall exceed Rs.50,000, and shall not exceed Rs.80,000, on Rs.50,000 as above, and on the remainder,  $\frac{1}{2}$  per cent.;
- (v) if the amount or value shall exceed Rs.80,000, Rs.1,000.

(b) When such suits are decided *ex-parte*, or when such suits or appeals are decided on confession of judgment, or are dismissed for default after all the requisite pleadings have been filed, or are compromised after the settlement of issues, but before trial—

- (i) if the amount or value of the claim shall not exceed Rs.5,000, not exceeding  $2\frac{1}{2}$  per cent., provided that in no case shall the fee payable be less than five rupees;

- (ii) if the amount or value shall exceed Rs5,000, and shall not exceed Rs20,000, on Rs5,000 as above, and on the remainder, not exceeding 1 per cent.;
- (iii) if the amount or value shall exceed Rs20,000, and shall not exceed Rs50,000, on Rs20,000 as above, and on the remainder, not exceeding  $\frac{1}{2}$  per cent.;
- (iv) if the amount or value shall exceed Rs50,000, and shall not exceed Rs100,000, on Rs50,000 as above and on the remainder, not exceeding  $\frac{1}{4}$  per cent.;
- (v) if the amount or value shall exceed Rs100,000, not exceeding Rs500.

3. In suits or appeals, withdrawn or compromised, (a) before any defence is put in, (b) before the settlement of issues, but after defence is put in, or dismissed for default without a determination on the merits of the case before all the requisite pleadings have been filed in Court, and in appeals from orders, re-hearing on review and other miscellaneous cases, including proceedings in execution of decrees, fees shall be payable on the following scale:—

- (i) if the amount or value of the claim shall not exceed Rs5,000, 1½ per cent.; provided that the fee shall not be less than Rs5 in any case other than a proceeding in execution;
- (ii) if the amount or value shall exceed Rs5,000, and shall not exceed Rs20,000, on Rs5,000 as above, and on the remainder,  $\frac{1}{2}$  per cent.;
- (iii) if the amount or value shall exceed Rs20,000, and shall not exceed Rs50,000, on Rs20,000 as above, and on the remainder,  $\frac{1}{4}$  per cent.;
- (iv) if the amount or value shall exceed Rs50,000, and shall not exceed Rs100,000, on Rs50,000 as above, and on the remainder,  $\frac{1}{8}$  per cent.;
- (v) if the amount or value shall exceed Rs100,000, Rs250;
- (vi) in applications for execution of decrees, the fees shall be calculated on the amount realised by the application.

4. In all miscellaneous applications after decree which are decided on the merits after contest, except such as have been hereinbefore specially provided for, a reasonable fee, not in any case exceeding Rs20 in the Court of the Resident, or Rs10 in a Court subordinate thereto, shall be allowed.

5. The words "the amount or value of the claim" in Rules 2 and 3 mean the value as set forth in the plaint or memorandum of appeal, and, where

Court-fees are payable *ad valorem*, the value on which such Court-fees are paid.

6. Fractions of a rupee in the amount or value of a claim are to be rejected in calculating the fee payable thereupon.

7. In cases in which the subject matter of the claim does not admit of valuation, the Court shall fix a reasonable fee not less than five rupees, regard being had to the time occupied in the preparation and hearing of the case and the nature of the questions raised therein.

8. If several defendants or respondents, who have a joint or common interest, succeed upon a joint defence, or upon separate defences substantially the same, not more than one fee shall be allowed, unless the Court shall otherwise order for a reason which shall be recorded in the judgment. If only one fee be allowed, the Court shall direct to which of the defendants or respondents it shall be paid, or shall apportion it among the several defendants or respondents in such manner as the Court shall think fit.

9. If several defendants or respondents, who have separate interests, set up separate and distinct defences and succeed thereon, a fee for one legal practitioner for each of the defendants or respondents who shall appear by a separate legal practitioner, may be allowed in respect of his separate interests. Such fee, if allowed, shall be calculated, with reference to the value of the separate interest of such defendant, or respondent, in the manner hereinbefore prescribed.

10. For each fee allowed under the two last preceding rules, the value of the stamp on one vakalatnama only shall be awarded as costs.

11. Except where an adjournment is made with the consent of all parties, or where, from insufficiency of notice, a party has not had reasonable time to prepare himself for trial, or where the adjournment is necessitated by a cause beyond the control of the party, an adjournment should not be granted save on the condition that the party applying pays all the costs of the day, including a reasonable fee not exceeding Rs10, to the legal practitioner engaged by his adversary.

12. The fee allowed on the percentage scale for prosecuting or defending a suit is intended to cover all proceedings up to decree; and where a suit is remitted for re-hearing and disposal or for a finding on issues, the proceedings on such order must be regarded as a further proceeding in the trial of the suit, and no further fee can be allowed in respect of such proceedings.

#### *Small Cause Courts.*

13. In suits under Act IX of 1887 (the Provincial Small Cause Courts Act) where costs are awarded by the Court, and where the certificate prescribed

- (ii) if the amount or value shall exceed R5,000, and shall not exceed R20,000, on R5,000 as above, and on the remainder, not exceeding 1 per cent.;
- (iii) if the amount or value shall exceed R20,000, and shall not exceed R50,000, on R20,000 as above, and on the remainder, not exceeding  $\frac{1}{2}$  per cent.;
- (iv) if the amount or value shall exceed R50,000, and shall not exceed R80,000, on R50,000 as above and on the remainder, not exceeding  $\frac{1}{4}$  per cent.;
- (v) if the amount or value shall exceed R80,000, not exceeding R500.

3. In suits or appeals, withdrawn or compromised, (a) before any defence is put in, (b) before the settlement of issues, but after defence is put in, or dismissed for default without a determination on the merits of the case before all the requisite pleadings have been filed in Court, and in appeals from orders, re-hearing on review and other miscellaneous cases, including proceedings in execution of decrees, fees shall be payable on the following scale:—

- (i) if the amount or value of the claim shall not exceed R5,000, 1 $\frac{1}{2}$  per cent.; provided that the fee shall not be less than R5 in any case other than a proceeding in execution;
- (ii) if the amount or value shall exceed R5,000, and shall not exceed R20,000, on R5,000 as above, and on the remainder,  $\frac{1}{2}$  per cent.;
- (iii) if the amount or value shall exceed R20,000, and shall not exceed R50,000, on R20,000 as above, and on the remainder,  $\frac{1}{4}$  per cent.;
- (iv) if the amount or value shall exceed R50,000, and shall not exceed R80,000, on R50,000 as above, and on the remainder,  $\frac{1}{8}$  per cent.;
- (v) if the amount or value shall exceed R80,000, R250;
- (vi) in applications for execution of decrees, the fees shall be calculated on the amount realised by the application.

4. In all miscellaneous applications after decree which are decided on the merits after contest, except such as have been hereinbefore specially provided for, a reasonable fee, not in any case exceeding R20 in the Court of the Resident, or R10 in a Court subordinate thereto, shall be allowed.

5. The words "the amount or value of the claim" in Rules 2 and 3 mean the value as set forth in the plaintiff's memorandum of appeal, and, where

Court-fees are payable *ad valorem*, the value on which such Court-fees are paid.

6. Fractions of a rupee in the amount or value of a claim are to be rejected in calculating the fee payable thereupon.

7. In cases in which the subject matter of the claim does not admit of valuation, the Court shall fix a reasonable fee not less than five rupees, regard being had to the time occupied in the preparation and hearing of the case and the nature of the questions raised therein.

8. If several defendants or respondents, who have a joint or common interest, succeed upon a joint defence, or upon separate defences substantially the same, not more than one fee shall be allowed, unless the Court shall otherwise order for a reason which shall be recorded in the judgment. If only one fee be allowed, the Court shall direct to which of the defendants or respondents it shall be paid, or shall apportion it among the several defendants or respondents in such manner as the Court shall think fit.

9. If several defendants or respondents, who have separate interests, set up separate and distinct defences and succeed thereon, a fee for one legal practitioner for each of the defendants or respondents who shall appear by a separate legal practitioner, may be allowed in respect of his separate interests. Such fee, if allowed, shall be calculated, with reference to the value of the separate interest of such defendant, or respondent, in the manner hereinbefore prescribed.

10. For each fee allowed under the two last preceding rules, the value of the stamp on one vakalatnama only shall be awarded as costs.

11. Except where an adjournment is made with the consent of all parties, or where, from insufficiency of notice, a party has not had reasonable time to prepare himself for trial, or where the adjournment is necessitated by a cause beyond the control of the party, an adjournment should not be granted save on the condition that the party applying pays all the costs of the day, including a reasonable fee not exceeding Rs10, to the legal practitioner engaged by his adversary.

12. The fee allowed on the percentage scale for prosecuting or defending a suit is intended to cover all proceedings up to decree; and where a suit is remitted for re-hearing and disposal or for a finding on issues, the proceedings on such order must be regarded as a further proceeding in the trial of the suit, and no further fee can be allowed in respect of such proceedings.

#### *Small Cause Courts.*

13. In suits under Act IX of 1887 (the Provincial Small Cause Courts Act) where costs are awarded by the Court, and where the certificate prescribed



in rule 1 of these rules has been obtained, the fees payable in respect of an adversary's Advocate or Pleader in a Court of Small Causes shall be as follows :—

- (a) In suits not exceeding -R100 } R5.  
in value.
- (b) In suits exceeding R100 in } R5 on R100 and R3 for every  
value. } hundred rupees or part thereof  
in excess of R100.

14. Where an Advocate or Pleader is employed merely to obtain execution of a decree, one rupee shall be allowed as costs for the purpose in claims below R100, and one rupee for every hundred rupees or part thereof in claims above that amount. No fee shall be allowed in case of a second or further application to obtain execution of the same decree.

[Gazette of India, 1901, Pt. II, p. 382.]

tary  
Loans

*No. 122, dated the 26th December 1906.*—In exercise of the powers conferred by section 6 of the Bangalore Sanitary Improvements Loans Law, 1906<sup>1</sup>, and with the previous sanction of the Governor-General in Council the Resident in Mysore is pleased to make the following rules under the said law for the grant of loans for the purpose of purchasing lands and erecting buildings in such localities as may, from time to time, be prescribed by Government :—

Officers by whom loans may be granted and the maximum amount admissible.

I. The Collector shall be competent to sanction loans not exceeding R1,000.

*Explanation.*—The Collector is not precluded by this rule from granting several loans to the same individual although the aggregate amount thereof may exceed the maximum prescribed.

Provided that—

- (a) more than three loans shall not be granted to the same individual,  
(b) no such several loan shall exceed R500, and  
(c) such several loans shall be for distinct purposes and be covered by separate and independent security.

II. The rate of interest shall be 6½ per cent. per annum, the Collector having the discretion to remit interest in case of borrowers who are known to be poor.

The Resident in Mysore may, if he sees fit, grant loans in special cases at reduced interest or without interest.

III. Interest shall accrue, from the date of disbursement of loans. If the loan is disbursed in instalments, interest on each instalment shall run from the date of the disbursement of such instalment.

IV. Loans shall be repayable by equal annual instalments discharging both principal and interest, the time allowed for repayment being fixed by the Collector with reference to the convenience of the borrower and the circumstances of the case, but so as not to exceed the maximum period of 10 years prescribed by section 4(2) of the Law.

The time for repayment specified above, shall count from the date of the payment of the loan, or where the loan is paid by instalment, from the date of payment of the last instalment.

In cases of extraordinary calamity, involving destruction of property, the Resident in Mysore may suspend the payment of instalments of interest and principal for such period as he may think necessary, and may remit an amount equal to the interest due for the period of such suspension. He may also in such cases sanction an additional loan not exceeding Rs500 to an individual to whom a loan has already been granted irrespective of the fact that such additional loan may cause the total amount due on account of principal from that individual to exceed Rs1,500.

The time allowed for repayment is liable to revision under rule XIV.

Provided that nothing in this rule shall be taken to preclude a borrower from discharging the loan at an earlier period by payment of a larger amount than the annual instalment. The excess so paid shall be credited at once in reduction of principal and the number of future instalments shall, if necessary, be decreased, but no alteration in the amount of subsequent instalment shall be allowed, nor shall postponement of payment of subsequent instalments be permitted.

V. The first repayment of the principal and interest shall not be demanded within less than twelve months from the date of disbursement of the first instalment of the loan.

VI. Repayment may be made at the Resident's Treasury, Bangalore, through the Collector.

VII. Interest at 7½ per cent. will be charged on all instalments of interest or of principal overdue.

In calculating interest under this rule, a broken period of a month shall be taken as half a month or one month according as it is less or not less than fifteen days, and a rupee\* may be taken as half a rupee or one rupee according as it is less or not less than eight annas.

\* See, Recd = a fraction of a rupee."

VIII. No loan shall be granted unless the value of the security offered exceeds by at least one-fourth the amount of the loan applied for.

The nature of the security to be required shall be—

(i) the land on which the building is to be erected and the building to be erected thereon; and

(ii) other lands or buildings, or both, belonging to the applicant.

If the value of the applicant's interest in the lands and buildings aforesaid does not exceed by one-fourth the amount of the loan applied for, further security consisting of lands or buildings or both belonging to other persons willing to become his sureties shall be required.

IX. If at any time the Collector is satisfied that any borrower has failed to perform any of the conditions on which the loan was made, he may proceed to recover forthwith from such person or from any surety of such person, the entire unpaid balance of the loan together with any interest payable thereon and costs, as arrears of land revenue.

X. An application for a loan shall in every case be made in writing to the Collector in Form No. I hereto annexed (printed copies of which can be obtained from the Collector's Office free of cost) and may be presented in person or sent by post.

XI. No loan shall be granted without a local enquiry. On receipt of an application the Amildar of the Civil and Military Station or other officer empowered by the Collector in this behalf may be required to make summary enquiry as to the correctness of the entries in the application, and as to the *bona fides* and the solvency of the applicant and the sufficiency of the security offered, and submit a report to the Collector.

XII. If after local enquiry and such further investigation as may be deemed necessary, the Collector is satisfied that the loan may be granted, he shall record a decision to the effect that the loan asked for, or a less sum, may be given and then shall at once issue an order granting the loan in Form No. II hereto annexed, which shall be signed by the applicant in token that he understands and agrees to the conditions contained therein. The security bond to be taken in the case of collateral securities shall be in Form No. III hereto annexed.

An order rejecting an application for a loan shall be intimated to the applicant by a notice in Form No. IV hereto annexed.

Disbursements of loans. XIII. Loans may, at the discretion of the Collector, be advanced in one or more instalments.

Inspection of works. XIV. The Collector may make provision for the proper inspection of works in course of construction

for which loans have been made and for ascertaining and securing that such loans are duly applied to the purpose for which they are made.

All works for which loans are made by instalments shall be inspected and reported upon before each instalment subsequent to the first is paid.

All works shall be inspected and reported on as soon as possible after the date fixed for their completion in the order granting the loan.

If it should then be found that the work has not been carried out in substantial conformity with the proposals made, the Collector may either require immediate repayment of the whole amount advanced with interest at  $6\frac{1}{2}$  per cent. and costs, if any, or alter the instalment fixed under Rule IV, so as to ensure repayment of the loan within the period for which it has been granted. In such cases the original loan order shall be cancelled and a fresh loan order issued, the former being recovered from the borrower if possible.

XV. The Collector shall keep a register of loans and repayments in Form No. V hereto annexed and such other accounts and statements as may from time to time be prescribed by the Resident in Mysore.

# FORM No. 1.

## Form of application for Loans under the Bangalore Sanitary Improvements Loans Law, 1906.

1. Name, Father's name and Residence of applicant—
2. Amount of Loan required—
3. Object for which the Loan is required—

PARTICULARS OF THE LAND TO BE PURCHASED OR BUILT UPON.		The nature and extent of the applicant's right in the land and whether he is the registered holder and whether the land is in his enjoyment.	The position, nature and use of proposed building.	Name.	Rights of others in the land or building.	SECURITY OFFERED.				Name of the person who agrees to offer the land or building as security and the collateral security.	Nature and extent of encumbrances if any on the property, when land or building is offered as collateral security.	Proposed time of repayment.	Remarks.	
						IF LAND.								
Village, Survey number, and whether wet or dry.	Ev. tent.	3	4	5	6	Extent.	Assessment.	In whose name registered.	Extent.	Description.	13	14	15	16
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

NOTE.—1. Full information as to applicant's right to purchase or build upon the land should be entered in column 3 and as to the right of the party who consents to give other lands or buildings as security in column 13.  
 2. In column 15 should be entered the number of years from the date of payment of the loan within which the applicant proposes to repay the loan. This will not prevent his discharging the loan sooner if he chooses.  
 3. Application for a loan may be presented or sent by post or otherwise to the Collector. The application will be free of stamp duty.  
 4. The rate of interest charged shall be 6½ per cent per annum, the Collector being granted discretion to remit the charge in case of borrowers who are known to be poor.  
 5. The loan may be discharged by annual instalments regulated so as to repay both principal and interest within the time allowed.  
 6. If the grantee of the loan misappropriates the whole or any portion of the loan or otherwise fails in any of the conditions of the grant, the whole unpaid balance of the loan with interest and cost will be liable to summary recovery.

### Form of Verification when land or other immoveable property is offered as collateral security.

I, the applicant, if for the above loan, do hereby solemnly declare that what is stated in the above application regarding the nature and extent of the encumbrances on the property offered as security is true to the best of my information and belief and that I believe there are no other encumbrances on the property.

Station  
Date

Signature.

## FORM No. II.

*Order granting a loan under the Bangalore Sanitary Improvements Loans Law, 1906.*

(See Rule XII.)

1. The sum of Rupees \_\_\_\_\_ is granted to \_\_\_\_\_ son of \_\_\_\_\_, residing at \_\_\_\_\_, as a loan under the Bangalore Sanitary Improvements Loans Law, 1906, for the purpose of \_\_\_\_\_, subject to the following conditions:—

A. (1) That the amount of this loan shall be paid to the aforesaid \_\_\_\_\_ in \_\_\_\_\_ instalments on the execution of the necessary security bonds, the 1st on the production of this order at the Resident's Treasury, Bangalore, and 2nd on proof that the 1st instalment has been properly utilized.

(2) That if the 1st instalment has not been utilized within the period of \_\_\_\_\_ or if it shall be proved to the satisfaction of the Collector that any portion of the loan has been applied to any other purpose than that above specified, the whole unpaid balance of the loan with interest at 6½ per cent. and costs, if any, shall be deemed to at once become due.

B. (1) That the loan shall be repaid by equal annual instalments of \_\_\_\_\_, commencing from \_\_\_\_\_. It shall be open to the Collector to reduce the number of instalments and to increase the amount of annual payments so as to recover the loan within a shorter period than herein allowed, if he finds it necessary.

(2) Such annual payments shall be made into the Resident's Treasury Bangalore, through the Collector.

(3) If default in the payment of any instalment of principal or interest occurs, and recovery cannot otherwise be made, the entire unpaid balance of the loan shall be deemed to at once become due and the whole of the lands or buildings specified under condition (c) or such portion thereof as the Collector may deem necessary shall be sold for the recovery of the amount with interest and expenses of sale, if any.

(c) That for the repayment of loan with interest and costs, if any, the immoveable property specified below is, in addition to the land for the purchase of which or building for the erection of which the loan is made hypothecated as collateral security to Government.

(d) That the building for the erection of which this loan is made be begun within \_\_\_\_\_ months and completed within \_\_\_\_\_ months from the date of payment of the 1st instalment of this loan.

Collector.

I have understood and agreed to the aforesaid terms and conditions.

Signature of the borrower.

[Reverse]

### RECOVERIES.

SUMS TO BE REPAID.			Interest at per cent. from the date of loan to date of first instalment, and in subsequent years for one year on the amount shown in column 2.	SUMS REPAID.			BALANCE DUE.		Initials of the Collector.	REMARKS.
Year.	Amount	Amount paid in the year.		Credited to		Interest (i.e. column 2 minus column 5).	Principal (i.e. difference of column 3 and column 6).			
				Interest.	Principal.					
1	2	3	4	5	6	7	8	9	10	

### FORM No. III.

The Bangalore Sanitary Improvements Loans Law, 1906 (Security bond to be used when immoveable property is mortgaged as security).

(See Rule XII).

Whereas \_\_\_\_\_ has \_\_\_\_\_ received from the Collector of the Civil and Military Station of Bangalore an order under the Bangalore Sanitary Improvements Loans Law, 1906, in virtue of which \_\_\_\_\_ is \_\_\_\_\_ entitled to receive the aggregate sum of Rs \_\_\_\_\_ as a loan from the Government for the purpose

of \* and whereas security for the due application of the loan and for the punctual repayment of the same according to the terms of the order is demanded from  $\frac{me}{him}$  :  $\frac{we}{us}$  the said

\*Here describe the work to be carried out.

mortgage to Government the immovable property mentioned in the schedule below as security and agree that if  $\frac{I fail}{he fails}$  to comply with the terms on which the loan has been granted either by misapplying the same or by failing to repay any instalment of the said loan or any interest chargeable thereon or costs, if any, incurred in the making thereof, on the date on which it may become due, it shall be lawful for the Collector to recover from the said property such sum as may be necessary to make good the amount which in consequence of  $\frac{my}{his}$  default may be due from me (or him).

## SCHEDULE.

Registration District.	Sub-Registration District.	Village.	IF THE PROPERTY IS HOUSE-PROPERTY			IF CULTIVABLE LAND.				
			Boundaries of the property.	Description and value of buildings and how long likely to last.	Extent of building site and of vacant ground or compound.	Trees, wells, etc.	Survey number.	Wet or dry.	Extent.	Assessment.
1	2	3	4	5	6	7	8	9	10	11

BANGALORE:

Dated

190 .

(Signature of ~~borrower~~  
Survey)

Witness

(1)

son of

village of

(2)

son of

village of



## FORM No. IV.

Notice intimating rejection of application under the Bangalore Sanitary Improvements Loans Law, 1906.

(See Rule XII.)

Application No.                      of                      on the file of the Collector, Civil and Military Station Bangalore, Name                      of village  
is hereby informed that his application for a loan of R  
under the Bangalore Sanitary Improvements Loans Law,  
1906, has been rejected for the following reasons :—

*Vide* this office order, dated                      on application No.

*Collector.*

CIVIL & MILITARY STATION, BANGALORE,  
19 .

NOTE.—This notice should be prepared in duplicate and one copy delivered to the party; if he could not be found it should be left for him with some adult male member of his family residing with him. The other copy should be returned to the Collector with the certificate under the hand of the server as to mode in which the service was effected

## Form No. V.

Register of applications for loans under the Bangalore Sanitary Improvements Loans Law, 1906.

Serial number of application.	Date of receipt of application.	Number and date of reference.	Name, father's name, and residence of applicant.	Name of locality in which the loan is to be utilized.	Amount of loan required.	Purpose for which loan is required.	Period.			Whether an application for refund of interest has been made, and date of disposal.	Amount interest paid, principal repaid, and balance due at date of disposal.	Remarks.
							To whom	Date of receipt.	Date of disposal.			
			4	5	6	7	8	9	10	11	12	13







No. 55.

*Page 755.—Insert the following as the first entry :—*

*Court-fees Act,  
1870.*  
Period of applica-  
tion of sections 6 and  
subsequent sections.

*No. 1113-I.B., dated the 11th August 1911.*

Printed in Appendix XX.

Exemptions.

*No. 1114-I.B., dated the 11th August 1911.*

applied to the limits of Abu, Anadra and the bazaar at Kharari, including the road leading from Abu sanitarium to Abu Road railway station, have received the sanction of the Governor-General in Council and are published for general information :—

## PART I.

## RULES APPLICABLE TO CIVIL COURTS.

1. Fees shall be levied according to the following scale for serving and executing processes issued by the Civil Courts within the said limits :—

In original suits or appeals or in cases of execution of decrees.				For every process not being a warrant of arrest.			For every warrant of arrest.		
				Rs.	A.	P.	Rs.	A.	P.
If the amount or value of the subject-matter in dispute or of that sought to be recovered, does not exceed Rs. 20 . . .				0	4	0	1	0	0
If it exceeds Rs. 20, but does not exceed Rs. 50 . . .				0	8	0	1	0	0
Ditto	50	ditto	100 . . .	1	0	0	1	8	0
Ditto	100	ditto	200 . . .	1	4	0	2	0	0
Ditto	200	ditto	300 . . .	1	8	0	3	0	0
Ditto	300	ditto	500 . . .	2	0	0	4	0	0
Ditto	500	ditto	1,000 . . .	3	0	0	5	0	0
Ditto	1,000	ditto	5,000 . . .	4	0	0	6	0	0
Ditto	5,000	ditto	10,000 . . .	5	0	0	7	0	0
Ditto	10,000	ditto	25,000 . . .	0	0	0	8	0	0
Ditto	25,000			8	0	0	10	0	0

- (a) The amount or value of the subject-matter of a suit or appeal, as determined in sections 7 and 8 of the Court-fees Act, 1870, shall regulate the fees payable according to the above schedule; and

(b) a uniform fee of annas eight shall be levied on every process issued—

(i) in any suit or appeal not coming under clause (a) of this rule, or

(ii) in any miscellaneous proceeding other than a proceeding in the execution of a decree;

(c) For each peon detained more than three days in charge of attached property or in charge of a judgment-debtor under<sup>1</sup> section 349 of the Code of Civil Procedure, 1882, or otherwise, a daily fee of annas four in cash shall be levied.

2. A separate process shall be issued for each person summoned or arrested or upon whom a notice is served, and a separate fee shall be charged for each process.

3. When a process issued by a Civil Court is returned unserved, the party at whose instance a fresh process is issued shall, save in the case provided for by the rule next following, pay the full fee chargeable thereon unless the Court, for reasons to be recorded by it, otherwise directs.

4. When a summons is not declared to have been duly served after an enquiry under<sup>2</sup> section 82 of the Code of Civil Procedure, 1882, no process-fee shall be levied upon re-issue.

## PART II.

### RULES APPLICABLE TO CRIMINAL COURTS.

5. No fee shall be levied on any process issued by a Criminal Court in cognizable cases, that is, cases in which the Police may arrest without warrant, as set forth in the second schedule to the Code of Criminal Procedure, 1882, or any other law in force for the time being.

6. In non-cognizable cases, that is, cases in which the Police have by law no power to arrest without warrant, process-fees shall be levied according to the following scale, *viz.*,—

	Rs.	a.	p.
(i) For every summons or notice . . . . .	0	4	0
(ii) For every warrant of arrest . . . . .	0	6	0
(iii) For every proclamation for absconding party or witness (Code of Criminal Procedure, 1882, sections 87 and 88) . . . . .	1	0	0
(iv) For every warrant of attachment . . . . .	0	8	0

Provided that no fee shall be levied on any process issued on the complaint of any public officer acting as such.

<sup>1</sup> See now rule 40, sub-rule (3) of Order XXI } in the First Schedule, Act V of 1908  
<sup>2</sup> See now rule 19 of Order V }

Provided also that the Court may, in its discretion, or for reasons to be recorded in writing, remit the whole or any portion of the amount of the process-fee leviable under this rule.

7. Rules 2, 3 and 4 shall apply *mutatis mutandis* to process issued by Criminal Courts.

### PART III.

#### GENERAL.

8. No fees shall be levied for any process which a Court may issue of its own motion or by order of a superior Court in any suit or proceeding, and not at the instance of any party to the suit.

9. A process issued by any British Court, whether of Civil, Revenue or Criminal jurisdiction shall be served free of charge by the Courts within the limits to which these rules apply, if it be certified on the process that the proper fee has been levied under the rules in force in the Court issuing it. When any Civil or Criminal Court situated within these limits sends a process for service or execution beyond the local limits of its ordinary jurisdiction such Court shall endorse on the process a certificate that the fee, chargeable under these rules, has been levied.

[*Gazette of India*, 1895, Pt II, p. 800.]

No. 5041-I.C., dated the 20th December 1906.—Printed in Appendix XVI. Epidemic Diseases Act, 1897.  
Delegation of powers to the Agent to the Governor-General.  
Indian Stamp Act, 1899<sup>1</sup>

No. 910-I.B., dated the 13th May 1910.—In exercise of the powers conferred by section 9, clause (a) of the Indian Stamp Act, 1899 (11 of 1899), as applied—

- (1) to Abu and Anadra including the road leading from the Abu Sanitarium to the Abu Road Railway Station and to the Bazar at Kharari; and
- (2) to the Railway lands within the limits of the Rajputana Agency over which the Governor-General in Council exercises jurisdiction (hereinafter referred to as the said areas); and in supersession of so much of Finance Department notification No 1045-Exc., dated the 10th July 1908,

<sup>1</sup> For rules as to the custody, supply and sale of stamps, see notification No. 2395-18-11, dated the 6th August 1907, as amended by No. 2023, dated the 15th May 1909, and No. 250-1271, dated the 24th January 1913. *Gazette of India*, 1907, Pt. II, p. 1240, 1909, Pt. II, p. 533, and 1913, Pt. II, p. 205.



as relates to the said areas, the Governor-General in Council is pleased to reduce to the extent set forth in each case the duties chargeable under the said Act as so applied in respect of the instruments hereinafter described under Nos. 21 and 29 and to remit the duties so chargeable in respect of instruments of the other classes hereinafter described :

*A.—Land Revenue.*

1. Lease or counterpart thereof executed at the time of settlement made directly by the Government with the existing occupant of land, whether a Zamindar or a tenant, and whether self-cultivating or not :

Provided that no fine or premium is paid in consideration of the lease.

*B.—Forest Department.*

2. Agreement and security bond required to be executed, under the rule, to regulate the training and appointments in the Subordinate Forest Services by a student and his surety previous to his entry into the Imperial Forest School, Dehra Dun, or the Burma Forest School, Tharrawaddy.

*C.—Medical Department.*

3. Security bond taken under the authority of the Government from a medical student of the Apothecary, Assistant Surgeon, or Hospital Assistant class, and his surety, or from the surety of such a student.

*D.—Post Office and Telegraph Department.*

4. Letter which a person depositing money in a Post Office Savings Bank as security to the Government or a local authority for the due execution of an office or for the fulfilment of a contract or for any other purpose, is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon.

5. Receipt given by, or on behalf of, a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such Bank.

6. Receipt endorsed by the payee on a Postal Money Order.

7. Receipt given by the addressee for a deposit exceeding twenty rupees made for the payment of a reply to a telegraphic message.

*E.—Railways and Inland Steamer Companies.*

8. Agreement made with a Railway Company or Administration or an Inland Steamer Company for the conveyance of goods.

9. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a passenger permitted to travel without payment of fare, indemnifying such authority or Company from any claim for damages in case of accident or injury.

10. Agreement or indemnity bond given to a Railway authority or an Inland Steamer Company by a consignee (when the Railway receipt or bill of lading is not produced) in respect of the delivery of articles carried at half parcel rates or at goods rates, namely fresh fish, fruits, vegetables, hazar baskets, bread, meat, ice, and other perishable articles.

11. Agreement made with a Railway Company or Administration which purports to limit the responsibility of the Company or Administration as declared by the Indian Railways Act, 1890 (IX of 1890), section 72, sub-section (1), and is in a form approved by the Governor-General in Council under sub-section (2) of that section.

12. Receipt or bill of lading issued by a Railway Company or Administration or an Inland Steamer Company for the fare for the conveyance of passengers, or goods, or both, or animals, or given to such Company or Administration or Inland Steamer Company for the refund of an overcharge made in respect of such fare.

13. Receipt given by, or on behalf of, a depositor in State Railway Provident Institution or in the East Indian Railway Savings Bank for a sum of money withdrawn from any such institution or Bank.

14. Debenture bond of the loan of Rs 20,00,000, raised by the Government of His Highness the Maharaja of Mysore for the construction of a line of railway from Bangalore to Tiptoor where the said bond is negotiated in the said areas.

*F.—Government Officers and Contractors.*

15. Agreement paper passed by a contractor of the Supply and Transport Corps where his security deposit is transferred to a Post Office Savings Bank.

16. Instrument in the nature of a Memorandum or agreement furnished to or made or entered into, with a Supply and Transport Officer by a contractor.

17. Agreement or declaration by which a tender made to a Supply and Transport Officer is accepted as a contract, where the deposit of the contractor as security for his contract is made in Government of India Promissory Notes or in cash.

18. Instrument in the nature of a Memorandum [agreement or security bond] furnished to, or made or entered into with, the Ordnance Department, the Army Clothing Department, the Forest Department, or the Public Works or State Railway Department by a contractor for the due performance of his contracts.

19. Mortgage deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

20. Instrument of reconveyance of mortgaged property executed by Government in favour of an officer in Civil or Military employ on the repayment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling-house for his own use.

21. Agreement which has been or may be entered into in compliance with the rules prescribed by the Resolution of the Government of India in the Finance Department (Military Finance), No. 2195-Accts., dated the 25th October, 1907, regulating the deposits of regimental funds with private banks or firms or such other rules for that purpose as may hereafter be in force.—Duty reduced to the amount payable in respect of a bond for like amount or value or to Rs. 5, whichever shall be less.

#### *G.—Other Documents.*

22. Bill of exchange drawn in Mysore, on which the full rate of stamp duty has been paid there where the same is negotiated in the said areas.

23. Cheque drawn in Mysore on which the full rate of stamp duty has been paid there where the same is negotiated in the said areas.

24. Receipt given for payment of interest on Government of India Promissory Notes.

25. Letter of authority or power-of-attorney executed for the sole purpose of authorising one or more of the joint-holders of a Government security to give on behalf of the other or others of them, or any one or more of them, a discharge for interest payable on such security or on any renewal security issued in lieu thereof.

26. Sanad of Jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration.

27. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government.

28. Transfer by endorsement of a mortgage of rates and taxes authorised by any Act for the time being in force in the said areas.

29. Instrument evidencing an agreement relating to the hypothecation of moveable property where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan, or of an existing or future debt.—Duty reduced to the amount chargeable on a bill of exchange under Article No. 13(b) of Schedule I of the Stamp Act, 1899, for the amount secured, if such loan or debt is repayable on demand or more than three months from the date of the instrument; and to half that amount, if such loan or debt is repayable not more than three months from the date of the instrument.

30. Instrument executed in the areas mentioned in the schedule hereto attached in respect of which the stamp duty with which it is chargeable under the stamp law for the time being in force in the said areas has been paid in accordance with the said law.

#### SCHEDULE.

##### *Areas.*

1. British India.
2. Agency territories in Baluchistan.
- 3 The Cantonments of Mhow, Nimach, Nowgong (including the Civil Lines), <sup>1</sup>[and Sehore], in the Central India Agency, and of <sup>1</sup>[Baroda and Deesa].
4. The Indore Residency Bazaars.
5. Railway lands within the limits of the Central India Agency over which the Governor-General in Council exercises jurisdiction.
6. The areas in the Hyderabad State in which the Governor-General in Council exercises jurisdiction through the Resident at Hyderabad.
7. Berar.
8. The Civil and Military Station of Bangalore
- <sup>1</sup> 9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction
10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

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<sup>1</sup> See notification No 2601-J B., dated the 19th December 1912. *Gazette of India, 1912*, Pt. I, p. 1656.

111. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor General in Council exercises jurisdiction.

[*Gazette of India*, 1910, Pt. I, p. 378.]

No. 623-I. A., dated the 15th February 1907.—In exercise of the powers conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to Abu and Anadra including the road leading from the Abu Sanitarium to Abu Road Railway Station and to the Bazar at Kharari by the notification of the Government of India in the Foreign Department,<sup>2</sup> No. 1389-I. B., dated the 13th April 1906, the Governor-General in Council is pleased to make the following rules under the said Act as so applied for the aforesaid areas with effect from the 1st April 1907.

### RULES. ACT, 1899.

#### CHAPTER I.—*Preliminary.*

1. In these rules, the expression "the Act" shall mean the Indian  
Definition Stamp Act, 1899, as applied to the areas aforesaid.
2. There shall be two kinds of stamps for indicating the payment  
Kinds of stamps. of duty on instruments chargeable with duty under the Act, be written as follows, namely:—
  - (a) impressed stamps, and
  - (b) adhesive stamps.

#### CHAPTER II.—*Of Impressed Stamps.*

3. (1) Hundis, other than hundis which may be stamped with an  
Hundis. adhesive stamp under section 11 of the Act, shall be written as follows, namely:—
  - (a) A hundi payable otherwise than on demand, but not at more than one year after date or sight, and for an amount not exceeding rupees thirty thousand in value, shall be written on paper on which the necessary stamp bearing the word "Hundi" has been engraved or embossed.
  - (b) A hundi for an amount exceeding rupees thirty thousand in value or payable at more than one year after date or sight, shall be written on paper, supplied for sale by the Government to which a label has been affixed by the Superintendent of Stamps at Bombay and impressed by that officer in the manner herein-after prescribed by rule 10.

<sup>1</sup> See notification No. 2601-I. B., dated the 19th December 1912. *Gazette of India*, 1912, Pt. I, p. 1616.

<sup>2</sup> See now notification No. 679-I. B., dated the 2nd April 1913. Printed Vol. I, p. 577.

(2) Every sheet of such paper shall be of a size not less than  $8\frac{1}{2} \times 5\frac{1}{2}$  inches, and no plain paper shall be joined to it.

(3) The provisions of sub-section (1) of rule 6 shall apply also in the case of hundis.

4. A promissory note or bill of exchange shall, except as provided by section 11 of the Act, and by these rules, be written on paper on which the necessary stamp, with or without the word "Hundi" has been engraved or embossed.

Promissory notes and bills of exchange

5. Every other instrument chargeable with duty shall, except as provided by section 11 of the Act, [and rule 12] be written on paper on which the necessary stamp, not bearing the words "Hundi," has been engraved or embossed.

Other instruments.

6. (1) Where two or more sheets of paper on which stamps are engraved or embossed are used to make up the amount of duty chargeable in respect of any instrument, a portion of such instrument shall be written on each sheet so used.

Provision where single sheet of paper is insufficient

(2) Where a single sheet of paper, not being paper bearing an impressed hundi-stamp, is found insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument.

Provided that in every such case the side of the sheet which bears the stamp shall be covered by a substantial part of the instrument before any part of the latter is written on the plain paper joined to such sheet.

7. The duty payable on any instrument which is chargeable with a duty of one anna under the Act [or of two annas under Articles 5 and 43 of Schedule I thereof] may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps at Bombay.

One anna impressed stamps

8. The Superintendent of Stamps, Bombay, is empowered to affix and impress labels, and shall be deemed to be "the proper officer" for the purposes of the Act and of these rules.

"The proper officer."

9. (1) Labels may be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix A, and of the counterparts thereof.

Affixing and impressing of labels by proper officer permissible in certain cases.

<sup>1</sup> Inserted by notification No. 853-I. B, dated 25th April 1911. *Gazette of India*, 1911, Pt. I, p. 306.

(2) Labels may likewise be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix B, when written in any European language, and accompanied, if the language is not English by a translation into English.

10. (1) The proper officer shall, upon any such instrument, as is referred to in rule 9, being brought to him before it is executed, and upon application being made to him for that purpose, affix thereto a label or labels of such value as the applicant may desire and pay for, and impress such label or labels by means of a stamping-machine and also stamp or write on the face of) the label or labels the date of impressing the same before returning the instrument to the applicant. In the case of instruments written on parchment the labels shall be further secured by means of metallic eyelets.

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and, where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

(3) Any principal assistant of the proper officer, if empowered by the Agent to the Governor-General in Rajputana in this behalf, may discharge the functions of the proper officer under sub-section (2) of this rule.

11. (1) Instruments (other than instruments which, under section 11 of the Act, may be stamped with adhesive stamps executed out of British India or the areas to which these rules apply and requiring to be stamped after their receipt in the said areas shall be stamped with impressed labels.

(2) Where any such instrument as aforesaid is taken to the Collector under section 18, sub-section (2), of the Act, the Collector shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof; and the proper officer shall stamp the instrument in the manner prescribed by rule 10 and return it to the Collector for delivery to the person by whom it was produced.

### CHAPTER III.—Of Adhesive Stamps.

12. The following instruments may be stamped with adhesive stamps:—

- (a) Bills of exchange payable otherwise than on demand and drawn in sets, when the amount of duty does not exceed one annul for each part of the set.

<sup>1</sup> Substituted by notification No. 853-L. R. dated 24th April 1911. *Gazette of India*, 1911, Pt. I, p. 201.

- (b) Transfers of debentures of Public Companies and Associations.
- (c) Copies of maps and plans and printed copies when chargeable with stamp duty under Article 24 of Schedule I of the Act.
- (d) Instruments chargeable with stamp duty under Articles 5 and 13 of Schedule I of the Act, when the amount of duty does not exceed 2 annas.]

13. When any instrument of transfer of shares in a Company or Association is written on a sheet of paper on which the necessary stamp is engraved or embossed and the value of the stamp so engraved or embossed is subsequently, in consequence of a rise in the market value of such shares, found to fall short of the amount of duty chargeable under Article No. 62(a) of Schedule I to the Act, one or more adhesive stamps bearing the words "Share Transfer," as hereinafter prescribed, may be used to make up the amount required.

14. Except as otherwise provided by these rules, the adhesive stamp or stamps used to denote the duty of one anna shall bear the words "One Anna" or "Half Anna," as the case may be, and the adhesive stamp used to denote the duty of half an anna shall bear the words "Half Anna"; and such stamp or stamps may be superscribed either for postage or for revenue or for both postage and revenue.

15. The following instruments, when stamped with adhesive stamps, shall be stamped in the manner hereinafter prescribed, that is to say:—

- (a) Bills of exchange, cheques, and promissory notes drawn or made out of British India or the areas to which these rules apply and chargeable with a duty of more than one anna shall be stamped with adhesive stamps bearing the words "Foreign Bill."
- <sup>1</sup>[(b) Transfers of shares and debentures of Public Companies and Associations shall be stamped with adhesive stamps bearing the words "Share Transfer."]
- (c) Notarial acts shall be stamped with adhesive foreign bill stamps bearing the word "Notarial."
- (d) Copies of maps or plans [and printed copies] certified to be true copies shall be stamped with adhesive court-fee stamps.

<sup>1</sup> Substituted } by notification No. 853-L.B., dated 29th April 1911. *Gazette of India*,  
<sup>2</sup> Inserted



16. When an instrument bears a stamp of sufficient amount, but of improper description, the Collector may, on payment of the duty with which the same is chargeable certify by endorsement on the instrument that is duly stamped :

*Provision for cases in which improper description of stamp is used*

Provided that if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely because of the difficulty or inconvenience of procuring one of proper description, he may remit the further payment of duty prescribed in this rule.

17. The Collector may require any person claiming a refund or renewal under Chapter V of the Act, or his duly authorized agent, to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit as aforesaid.

*Evidence as to circumstances of claim to refund or renewal.*

When an application is made for the payment, under Chapter V of the Act, of an allowance in respect of a spoiled or misused stamp, or on the renewal of a debenture, and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application, then if the amount of the allowance or the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished, as the case may be, by the applicant within one year of the date of such order as aforesaid, the application shall be struck off and the spoiled or misused stamp (if any) sent to the Superintendent of Stamps, Bombay, for destruction.

*Payment of allowances in respect of spoiled or misused stamps or on the renewal of debentures.*

18. Where the Collector makes a refund under section 55 of the Act he shall cancel the original debenture by writing on or across it the word "Cancelled" and his usual signature with the date thereof.

*Mode of cancelling original debenture in case under section 55 of Act.*

19. On the conviction of any offender under Chapter VII of the Act, the Collector may grant to any person who appears him to have contributed thereto a reward within a limit, to be fixed by the Agent to the Governor-General in Rajputana.

*Rewards.*

## APPENDIX A.

### *List of Instruments referred to in rule 9 (1) of the Rules.*

	No. of Article in Schedule I of the Act.
(a) Administration bonds . . . . .	2
(b) Affidavits . . . . .	4
(c) Appointments made in execution of a power . . . . .	7
(d) Articles of Association of a Company . . . . .	10
(e) Articles of clerkship . . . . .	11
(f) Bills-of-lading . . . . .	14
(g) Charter-parties . . . . .	20
(h) Declaration of trust . . . . .	61A
(i) Instruments evidencing an agreement relating to (1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or (2) the pawn or pledge or hypothecation of moveable property . . . . .	8
(j) Leases printed or lithographed in an Oriental language, when the written matter filled in does not exceed one-fourth of the printed matter . . . . .	35
(k) Memoranda of Association of Companies . . . . .	39
(l) Mortgages of crops . . . . .	41
(m) Notes of protest by Masters of Ships . . . . .	44
(n) Policies of Insurance . . . . .	47
(o) Revocations of trust . . . . .	64B
(p) Share-warrants issued by a Company in accordance with section 30 of the Indian Companies Act, 1882 (VI of 1882) other than share-warrants issued before the fourteenth day of November, 1890, with adhesive stamps bearing the words "Share Transfer" and denoting the full amount of duty payable thereon, which share-warrants shall be held to have been duly stamped . . . . .	50
(q) Warrants for goods . . . . .	65
<sup>1</sup> [(r) Note or Memorandum when the duty payable exceeds 2 annas . . . . .	43(b)]

## APPENDIX B.

### *List of Instruments referred to in rule 9 (2) of the Rules.*

	No. of Article in Schedule I of the Act.
(a) Agreements or memoranda of agreements which, in the opinion of the proper officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed . . . . .	5
(b) Instruments engrossed on parchment and written in the English style which, in the opinion of such officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed . . . . .	...
(c) Awards . . . . .	12
(d) Bills-of-exchange payable otherwise than on demand and drawn in the areas to which the foregoing rules apply . . . . .	13 (b) and (c)

<sup>1</sup> Added by notification No. 853-I. B., dated 28th April 1911. *Gazette of India*, 1911, Pt I, p 306.

APPENDIX B—*contd.*

*List of Instruments referred to in rule 9 (2) of the Rules—contd.*

	No. of Article in Schedule I of the Act
(e) Bonds . . . . .	15, 16, 26, 34, 56, and 57
(f) Certificates of sale . . . . .	18
(g) Composition-deeds . . . . .	22
(h) Conveyances . . . . .	23
(i) Instruments imposing a further charge on mortgaged property . . . . .	32
(j) Instruments of apprenticeship . . . . .	9
(k) Instruments of co-partnership . . . . .	46A
(l) Instruments of dissolution of partnership . . . . .	46B
(m) Instruments of exchange . . . . .	31
(n) Instruments of gift . . . . .	33
(o) Instruments of partition . . . . .	45
(p) Leases . . . . .	35
(q) Letters of license . . . . .	38
(r) Mortgage deeds . . . . .	40
(s) Powers-of-attorney . . . . .	48
(t) Re-conveyances of mortgaged property . . . . .	54
(u) Releases . . . . .	55
(v) Settlements . . . . .	58
(w) Transfers of the description mentioned in Article 62, clauses (e), (f), and (g) of Schedule I of the Act . . . . .	62 (e), (f) and (g)

[*Gazette of India*, 1907, Pt. I, p. 112.]

to stamp. <sup>1</sup> No. 2965-18—II, dated the 16th September 1907.—Not reprinted.

[*Gazette of India*, 1907, Pt. II, p. 1415.]

## Orders under Local Laws.

No. 3246-G., dated the 19th August, 1889. The following rules, under section 3 of the Abu Wild Birds Protection Law, 1889, are published for general information:—

The Abu Wild Bird  
Protection Law  
(1896) Rules.

1.—The expression "wild birds," for the purposes of the Abu Wild Birds Protection Law, 1889, shall include—

Patriages of all sorts		Spar fowl.
Jungle fowl.		

N.B.—The Government of India having strictly prohibited the killing of pea-fowl and blue pigeons in Rajputana, these birds have been omitted from this list of wild birds.

2. The expression "animal of game" for the afore-said purposes shall include the animals of game, other than birds, to which the provisions of section 3 of the Abu Wild Birds Protection Law, 1889, namely, sambhar, 'chital, four-horned antelope, and hares.

3. The breeding season of wild birds, for the afore-said purposes, shall extend from 15th March to 15th September, inclusive, in each year.

4. The breeding season of animals of game, for the afore-said purposes, shall extend from {1st April} to 1st October, inclusive in each year.

5. During the breeding season no person shall possess or sell within Abu limits any wild bird or animal of game recently killed or taken or imported into Abu, or the plumage of any wild bird or the fur or skin of any animal of game which has been recently killed: Provided that this prohibition shall not extend to wild birds or animals of game proved to the Court to be possessed or to have been



## CANTONMENTS OF ERINPURA, KHERWARA AND KOTRA.

Orders under Acts locally applied. &amp;

Epidemic Diseases  
Act, 1897.

No. 5011-I. C., dated the 20th December 1906.—Printed in Appendix  
XVI.

Delegation of powers  
to the Agent to the  
Governor-General.

Orders under Local Laws.

Nil.



## CANTONMENT OF DEOLI.

## Orders under Local Laws.

No. 5041-I. C., dated the 20th December 1906.—Printed in Appendix XVI. Epidemic Diseases Act, 1897.

No. 1783-G,—17 A-IV, dated the 11th April 1902—Printed in Vol. V, page 154. Delegation of powers to the Agent to the Governor-General. Rules. Cantonments Act, 1910.

No. 535-C.—1229, dated the 2nd March 1911.—In exercise of the powers conferred by section 15, sub-section (1) (a) of the Cantonments Act, 1910 (XV of 1910), and with the previous sanction of the Governor-General in Council, the Hon'ble the Chief Commissioner, Ajmer-Merwara, is pleased to impose in the Cantonment of Deoli the following tax :—

Nature of Tax	Amount.
For every dog of the age of six months or more, payable by the persons owning or having charge of such dog, within the limits of the Deoli Cantonment . . . . .	One rupee per calendar year.

Provided that no such tax shall be leviable—

- (a) From any non-commissioned officer or soldier of His Majesty's regular forces;
- (b) From any persons not residing for more than thirty days in the year within Cantonment limits

[Gazette of India, 1911, Pt. II, p. 367.]

No. 536-C.—1229, dated the 2nd March 1911—In exercise of the powers conferred by section 15 (2) of the Cantonments Act, 1910 (XV of 1910), the Hon'ble the Chief Commissioner, Ajmer-Merwara, is pleased, with the previous sanction of the Governor-General in Council, to apply to the Cantonment of Deoli the following rules, being provisions adapted from the Ajmer Municipalities Regulations, 1886, for the recovery of the dog-tax imposed by notification No. 535-C—1229, dated the 2nd March 1911. Rules for the recovery of the dog-tax.

1. The dog-tax shall be paid by the persons liable for the same either in person or by agent at the office of the Cantonment authority on or before the 1st day of May in each financial year for which the tax is leviable. Ajmer Municipalities Regulations, 1886, section 49.

2. For all sums paid on account of the dog-tax a receipt stating the amount and the tax on account of which it is paid shall be given by the Cantonment authority to the person making the payment. Section 50.

3. Any arrears of the dog-tax may be recovered on application to a Magistrate having jurisdiction within the limits of the Cantonment by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable. Section 123.



4. (1) The Cantonment authority shall, on the 1st March of each year, cause an assessment list of all persons owning dogs within the limits of the Cantonment, and on whom the tax is to be imposed, to be prepared containing—

- (a) The names of the persons liable to pay the tax.
- (b) The residence of such persons.
- (c) The number of dogs in possession of such persons.
- (d) The amount of the tax assessed by the Cantonment authority.

(2) For the purpose of preparing the list the Cantonment authority may require owners of dogs to furnish him with a return showing the number of dogs in their possession.

5. An appeal against the assessment list shall lie to the District Magistrate.

The order of the appellate authority shall be final.

6. (1) No appeal shall lie in respect of the tax unless it is made within two months from the time when the demand for the tax is made :

Provided that an appeal may be admitted after the expiration of the period prescribed therefor if the appellant satisfies the officer before whom the appeal is preferred that he has sufficient cause for not presenting the appeal within that period.

(2) No appeal shall be entertained unless the amount of the tax is deposited with the Cantonment authority before the appeal is preferred.

[*Gazette of India*, 1911, Pt. II, page 367.]

